

HOUSE OF REPRESENTATIVES—Wednesday, October 8, 1997

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

The Scriptures tell us that for everything there is a season and a time for every matter under Heaven. We pray, almighty God, that we will use our time with vitality and enthusiasm so that we are stewards of the days we have been given to be Your people and do those good works that flow from a grateful heart. We admit that we do not always use our days in ways that reflect Your will for us, but we earnestly pray that we will experience in our daily tasks the joys and opportunities of love to You, O God, and doing what we can to be of service to the people all about us. May Your peace that passes all understanding, be with us this day and every day, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 5 of rule I, further proceedings on this question are postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Missouri [Mr. BLUNT] come forward and lead the House in the Pledge of Allegiance.

Mr. BLUNT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize fifteen 1-minutes on each side.

WHITE HOUSE VIDEOTAPES

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, let us go to the videotape. There we can see President Clinton schmooze with John Huang and Roger Tamraz at fundraisers held at the White House. The White House staff has videotaped 44 or more of these events, probably to help secure President Clinton's place in history.

I hope the White House has videotaped other history-making scenes by this administration, like when President Clinton supported the Internal Revenue Service over the taxpayers by threatening a veto of commonsense efforts to reform the IRS. That gesture will be remembered by every taxpayer in America. I hope the White House has videotaped the Vice President's claim that there was no controlling legal authority when he described why he broke campaign finance laws. Some Members of this House might want to keep that videotape really close at hand.

Mr. Speaker, when it comes to this White House, I say let us go to the videotape.

SUPPORT THE VENTO-RAHALL AMENDMENT TO THE AMERICAN LAND SOVEREIGNTY PROTECTION ACT

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, today we have a chance to vote on a good amendment, the Vento-Rahall amendment. We have the so-called American Land Sovereignty Protection Act which breaks really two treaties and repeals a protocol with hundreds of nations. The United States has led efforts of hundreds of nations to, in fact, provide the conservation and recognition of our areas.

But in this bill, last night we were able to offer an amendment which deals not just with conservation but deals with exploitation. We think if the Congress is going to approve the conservation measures in this Congress, it ought to also approve foreign firms that seek to exploit this, exploit our resources, and there are many of them. We know under the 1872 mining law that Canadian, United Kingdom, Danish, and Australian firms are coming in

here and getting billions of dollars worth of important assets for mere thousands of dollars.

The Vento-Rahall amendment today gives us a chance to vote on that, to vote to provide parity; that is to say, if we are going to have conservation votes, we ought to have votes when we have exploitation.

MORE ON THE IRS

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, the IRS wants to repent. They know they have been a little hard on Americans, but they are sorry and they will not do it anymore. The IRS is starting to begin to sound like campaign reform.

It starts out, "We did not do it. Nobody saw us. You cannot prove anything. We did not do it." Then the truth starts to become apparent and the excuses change. "Ok, we might have had some problems but it was not wrong." Then it is, "Yes, we did it but we will not do it anymore."

That is about where the IRS is today. They have done something wrong. Quotas for their IRS agents, singling out individuals like Paula Jones, harassing small business men and women, striking fear across America.

And some people like Martin Grimes of Wichita, an RV salesman, are just plain mad. In his last \$3,500 check that he got for commission, \$1,400 of it went directly to the IRS. Mr. Speaker, there are many good people who are working at the IRS who have been put in a very bad situation by their management. It is time to cut the IRS code and flatten the tax.

SUPPORT PUBLIC SCHOOLS

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, Democrats strongly oppose spending taxpayer dollars on private and religious schools and have argued for making the necessary improvements in public schools instead. This week the Republicans hope to pass a bill that would make Washington, DC the first victim in a grand scheme to undermine public schools through taxpayer funded vouchers for private or religious schools. As much as \$45 million in Federal funds would be made available to pay for private education for about 3

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

percent of the District of Columbia's students.

Mr. Speaker, in my opinion it makes no sense to take away \$45 million that could be made available to the city of Washington to improve basic skills or to fix deteriorated buildings in the public schools and instead use this money for private schools. With 9 out of 10 children in America attending public schools, Democrats understand that we need to rebuild and reform public schools, not destroy them and waste public funding on private schools. I hope that my Republican colleagues will join us in moving a positive agenda for public education rather than wasting our time on vouchers.

IN SUPPORT OF HOUSE POSITION ON FOREIGN OPERATIONS BILL

(Mr. BLUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUNT. Mr. Speaker, yesterday this body instructed our conferees working with the Senate on the foreign operations bill to stay with the House position that relates to taxpayer dollars spent for abortion. Abortion is an issue that there are many differences of opinion of on the floor of this House, but there has generally been broad agreement that taxpayers' dollars should not be spent for abortions in the United States. We need to ensure that that same policy is extended beyond our borders and with taxpayers money that is sent to other countries.

Certainly it was disturbing just a few days ago when the Vice President said that the biggest environmental danger in Third World countries was too many children, too many children in Mexico, too many children in Africa, too many children in Asia. That should not be the position of our Government. Our conferees need to stand firm. Taxpayers' dollars should not be used for abortions in America. They should not be used for abortions overseas.

COINCIDENCE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Patricia Mendoza heckled the President; she got audited. Kent Brown sued the First Lady; he got audited. The National Center for Public Policy criticized the White House; they got audited. Billy Dale got the White House mad; he got audited. Paula Jones refused a cash settlement; she got audited.

If that is not enough to tax your disgust, Shelly Davis, the author of *Unbridled Power*, who testified about IRS abuses before the Senate, got a notice in the mail yesterday; she is being audited.

Unbelievable. After all this, an IRS spokesman said, coincidence, all coincidence. I say, Mr. Speaker, the IRS has turned into a bunch of political prostitutes.

I want to apologize to all the hookers in America for having associated them with the IRS. I say beam me up, dot com, coincidence this.

A COMMISSION TO OVERSEE THE IRS

(Mr. ROGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGAN. Mr. Speaker, I associate myself with the general comments of the gentleman from Ohio. He is absolutely right, Mr. Speaker. In light of the hearings we had on the IRS, it is clear that there is immediate need for reform.

We Republicans have joined with some Democrats in urging a citizens oversight commission for the IRS. Incredibly, the White House has opposed this. The President's Chief Economic Advisor, Gene Sperling, called the proposal for citizen oversight of the IRS "a recipe for conflict of interest" and "a serious step backward". The President's comments were even worse than those of his advisor. He said, "I believe the IRS is functioning better today than it was five years ago." The President claimed that a citizens commission to oversee it would mean "less accountability" and "less trust in the agency."

I cannot conceive of how the IRS could possibly have less accountability and less trust from the American people than it does today. This administration has its head in the sand on this issue. The IRS must be held accountable by taxpayers and citizens, not by the White House and bureaucrats.

CRUMBLING SCHOOLS

(Mr. BLAGOJEVICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLAGOJEVICH. Mr. Speaker, we have the privilege here in America to live in what is arguably the wealthiest country in the world. In fact, when we compare the wealth of our country with other countries in the span of human history, we are probably easily among the wealthiest. We are fortunate to live in a country that offers that kind of well-being.

Yet across America our school buildings are crumbling. Fourteen million American students this morning went to school in crumbling school buildings. Education in my view is not only a proper role for government, it is a moral imperative for those of us who are involved in government. It is a scandal and it is a shame that in one of

the wealthiest countries in human history we can allow crumbling school buildings to exist in the United States of America.

This Congress recently passed an appropriation for \$21 billion for B-2 bombers, B-2 bombers that cannot even fly in the rain. Yet this very Congress denied \$5 billion to help improve our crumbling school buildings. We must get our priorities straight. Public schools need the help of the Federal Government and crumbling school buildings are a national scandal.

REAUTHORIZATION OF THE ENDANGERED SPECIES ACT

(Mr. SAXTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, I come before the House today, to be followed by my good friend, the gentleman Michigan [Mr. DINGELL] to discuss the need to reauthorize the Endangered Species Act. I believe the time is now to reauthorize this granddaddy of all environmental laws.

It is vital that any piece of legislation that is developed is done so in a bipartisan way. I want to congratulate also the Senate in their effort to craft such a bill. This process must recognize the needs of people who are impacted by ESA as well as the issue of declining species.

I want to commend my colleague, the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources, and the ranking member, the gentleman from California [Mr. MILLER] for their recent efforts to craft a bipartisan bill.

This process has been supported by the involvement of my friend [Mr. DINGELL] as well as the gentleman from Louisiana [Mr. TAUZIN] and the gentleman from California [Mr. POMBO].

We must set aside partisan politics. We must set aside personal interest and do what is right for the people of this country and for the species which this legislation protects.

HONEST TAXPAYING CITIZENS SHOULD NOT HAVE TO FEAR IRS

(Mr. HEFLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HEFLEY. Mr. Speaker, how many honest American citizens are going to be terrorized by the IRS before the IRS changes the way it does business?

Everyone knows that it is not just the tax cheats who panic when the IRS comes around to conduct an audit. Ordinary American citizens who pay taxes are driven to panic as well. It should not be that way.

Tax cheats should feel the cold, unrelenting power of the IRS when their

misdeeds are found out, but honest citizens who do their best to comply with an extremely complicated Tax Code should have nothing to fear from an audit.

But the IRS knows that many people who work for a living, who have family obligations, and are living from paycheck to paycheck do not have either the time or the money to do battle with the IRS when the auditors want to play hard ball. IRS agents know that and they can count on that advantage.

But an ordinary citizen who is not a tax cheat simply does not have the money to pay for all the legal leadership necessary to defend himself against the IRS. It is not a fair fight. It is a recipe for abuse and it must stop.

SUPPORT PUBLIC SCHOOL SYSTEM

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Speaker, our public schools are under attack. Across the country there are students trying to learn in conditions that we should be ashamed of: crumbling walls, leaky roofs, and overcrowding.

The Republicans' response to this crisis is amazing. They want to take money out of the public school system and give it to private schools.

A recent poll shows that the vast majority of Americans oppose Republicans' attempt to use tax dollars for private schools. The American people want to be able to provide all our children with a first class public education, but the Republicans do not. They want to allow public schools to continue to deteriorate while using taxpayers' dollars to subsidize private schools.

Mr. Speaker, we must not allow the Republicans to tear down our public school system. We must continue our commitment to providing every child in this country with a quality education.

NOW IS THE TIME FOR REAL ACTION IN REFORMING IRS

(Mr. JONES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JONES. Mr. Speaker, the Internal Revenue Service is bullying the American taxpayer, and it is time for this practice to stop.

I appreciate what my colleagues in both the Senate and the House have done to look into this problem with the IRS. Now it is time for real action. The Congress needs to build on the current momentum and take advantage of this opportunity for true tax reform.

To police the tax system, our government employs over 110,000 IRS agents at an annual cost of \$9.8 billion a year.

A fair, simpler tax system would eliminate the need for this tremendous and unethical bureaucracy.

The American taxpayers have known this for years, that the IRS needs drastic reform. Now it is time for the Congress to help the taxpayers of America and simplify the Tax Code. Let us give the taxpayers the relief they deserve.

CONGRESS SHOULD NOT ABANDON OUR PUBLIC SCHOOLS

(Mr. RODRIGUEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, they are at it again. The House majority has planned to help only a select few of the students that exist. Nine out of ten students attend our public school system. Once again, 9 out of 10 students attend our public school systems. We have to be responsive to those individuals, and our obligation as elected officials is to those people that attend our public school system.

We have to assure that they have the resources. We have to make sure our teachers have the training that is required. We have to make sure that our buildings are adequate and, at the same time, we have to make sure that they have access to the latest technology.

As taxpayers, our obligation is to the public schools, not to the private or religious schools. The majority's plan to abandon our public schools is not an option. Vouchers are not the answer. Abandoning our public schools will only make it worse.

What we need is a commitment of repairing our buildings, a commitment to our students that are out there, commitment to our teachers, a commitment to our communities. We must work for all our students that are out there. Let us not abandon our schools.

CAMPAIGN FINANCE REFORM IS ALIVE

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUTCHINSON. Mr. Speaker, some individuals have misinterpreted yesterday's vote in the Senate as an indication that campaign finance reform is dead. I think they are deceiving themselves. There was no knockout punch. It was a draw.

Campaign finance reform is alive and it is a golden opportunity for the House and our House colleagues to prove that. The spotlight will turn to the House and whether we can follow through on our promises to take the electoral process out of the hands of the highest bidder and put it back in the hands of the American bidder.

I applaud Speaker GINGRICH's comments that he will give campaign fi-

nance reform its due in the House, and the gentleman from California [Mr. THOMAS] for asserting that he will hold hearings on the reform effort and examine the different campaign finance bills, including the bill introduced by myself and my friend, the gentleman from Maine, Mr. TOM ALLEN.

Mr. Speaker, there has been some heated debate on this issue. Let us take that debate out of the pages of the newspapers and put it on the floor of the House of Representatives. Let us make it an open debate, hear all the sides, hear the viewpoints, and decide which direction we are going; and, Mr. Speaker, after that debate, then we can decide just how our campaigns should be run, by the highest bidder or by the American public.

VOTE "YES" ON FARR AMENDMENT TO H.R. 901

(Mr. FARR of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I rise this morning because the second vote we are going to take today is on H.R. 901, and I have an amendment to that bill that is on the floor. It is the second vote we will take. It amends the Land Sovereignty Act.

I rise as a private landowner to urge my colleagues to protect private property rights. I rise as a former county supervisor to ask my colleagues to protect local control. I rise as a former member of the State legislature to ask my colleagues to protect State rights. And I rise as a Member of Congress to ask my colleagues to vote for that amendment to protect our information sources.

Vote "yes" on the Farr amendment, the second vote this morning.

PRESIDENT CLINTON READY TO IMPOSE NEW ENERGY TAXES

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, there he goes again. President Clinton has stepped up efforts to force compliance with the treaty limiting greenhouse gas emissions. And with a knee-jerk reaction, how does he propose to accomplish this goal? Simply by raising taxes. That is right, a tax increase. A tax increase on energy.

The ink is not even dry on the newly enacted tax cut package and the President is proposing a new tax, a green tax, that will place an unbearable burden on our most vulnerable citizens. And for what? The treaty exempts 132 of the 166 nations of this world. This places the entire burden of reducing greenhouse emissions on the industrialized nations. That is us. This will not

eliminate greenhouse gases, it merely changes the point of origin, the point of production.

By itself the Clinton-Gore-Browner Treaty will have a devastating effect on the American workers, but now the President wants to add insult to injury with his green tax. I ask the President to think hard about his ill-conceived green tax.

EVERY AMERICAN CHILD DESERVES A QUALITY EDUCATION

(Mr. GREEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN. Mr. Speaker, I want to disassociate myself with any of this green tax stuff, but what I am here for this morning is to talk about the fact that every American child deserves a quality education. Quality education needs to be available to all students whether or not they can afford it.

Many families in our districts cannot afford to send their children to private schools even with vouchers. School vouchers only address a small percentage of the children and they take away scarce dollars from public education.

It is not our American heritage to make quality education only available to a few select children and then forget the rest. Unlike other countries, we strive to educate everyone, not just the elite. Education needs to be available to all Americans, not just the ones who can afford it. That is why in our Nation's recent history public education is for everyone.

In a recent poll, 71 percent of Americans want to reform public education. Almost the same number support public education. We need to listen to the American people. They want to improve our public schools. There are problems in public schools and we need to address these problems, but let us fix public education, not experiment with our Nation's future.

WHITE HOUSE SHOULD FORGET ABOUT ENERGY TAX INCREASE

(Mr. CHABOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHABOT. Mr. Speaker, just when we think our pocketbook is safe for a while, those folks over at the White House begin to dream up yet another new tax for the American people. Apparently, those same liberal economists who gave us the largest single peacetime tax increase in American history back in 1993 are now hard at work putting together an energy tax scheme that will increase the price of gasoline by up to 25 cents per gallon and the cost of home heating and electricity by hundreds of dollars a year.

Here is what one anonymous Clinton administration official reportedly said

about this possible new energy tax. Obviously, we would want to do it in a way that is least obvious to consumers, but, any way we do it, consumers are going to pay the cost. That is scary.

Mr. Speaker, working Americans are finally going to benefit from some tax relief next year, thanks to the work of this Congress. Let us let them enjoy it and let us urge President Clinton to forget about any new taxes.

VOUCHERS PROVIDE PARENTS WITH A FALSE CHOICE

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, our Republican friends are promoting a plan to take taxpayers' dollars out of the public school system and to put it into private schools, benefiting the few and the wealthy. The majority of the American people oppose this idea for a very good reason. This proposal would steal money from the public schools, money that could be used to fix leaky roofs or buying new textbooks or computers for our kids.

My Republican colleagues like to use the term "school choice." But vouchers provide parents with a false choice. Vouchers do not even come close to covering the high cost of tuition at the best private schools, making the voucher useless for working families and providing the greatest benefit for wealthy families who can already afford the cost of that tuition.

Democrats will oppose Republican efforts to try out this new experiment, because our children are not guinea pigs. We are not going to experiment with their lives and with their future. I urge my colleagues to oppose the Republican voucher plan.

AWESOME POWER OF IRS HAS CORRUPTING INFLUENCE ON ITS AGENTS

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, what does it say about the IRS when its own agents fear the IRS? The IRS is an agency that puts extraordinary pressure on good people to do the wrong thing, even to the point of using criminal intimidation tactics to break the hard working men and women of America.

There is an old saying out there that power corrupts and absolute power corrupts absolutely. Well, the awesome power of the IRS has had a corrupting influence on its own agents and everyone knows that unchecked power that is accountable to no one is a guarantee of abuse.

Notice how IRS agents who have had the courage to come forward and ex-

pose the outrage never say they are talking about a few bad apples or even the occasional rogue acts who give everyone a bad name. No, these courageous agents have all willingly said the IRS has a corporate culture that gives a green light to bullies, gives free rein to intimidation tactics and positively institutionalizes a quota mentality where success is not defined by honest work but by how much money can be seized. This agency is a national disgrace.

CAMPAIGN FINANCE REFORM

(Mr. SNYDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SNYDER. Mr. Speaker, yesterday the Republican leadership in the Senate successfully blocked meaningful campaign finance reform. So what do the rules now mean? It means that it is perfectly legal for us to donate, or a corporation or a union, this amount of money to the political party of our choice.

That might create some confusion in our minds about what that means for us. Does that mean that if we are an individual making \$24,000, \$25,000 a year, is it legal to donate \$1 billion to the political party of our choice? Yes, it is. If we are a small business that grosses \$100,000 a year, is it legal to donate \$1 billion to the political party of our choice? Yes, it is. If we are a retiree living on a fixed income, is it legal for us to donate \$1 billion to the political party of our choice? Yes, it is.

Those are the rules. Those are the rules the Republican leadership blocked from being changed yesterday.

□ 1030

WHERE ARE THE KEY WITNESSES?

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, a great article today in the Los Angeles Times: "The Hubbell Satellite Finds a New Star 25,000 Light-years Away," an amazing story.

I have got an idea. I am writing the UCLA scientist team who pulled this together saying: "Dear Scientists: I read with much interest and excitement your discovery of a star located 25,000 light-years away from Earth. I congratulate you on this amazing feat."

"I also have a question for you: We, in Congress, have been trying to hold hearings to determine if certain people gave a certain administration illegal contributions. Our problem is that key witnesses have inconveniently disappeared. This upset lots of good Democrats and Republicans who want to get to the bottom of this scandal."

"Question: Do you think that we could use the powerful infrared eyes of your amazing telescope to find the following people?" And I have them listed here. These are Charlie Trie, Ming Chen, Stanley Ho, John Muncy, Ng Lap Seng, folks who are big Democratic donors who have disappeared.

If we could use the Hubbell, we could find these folks and get to the bottom of this scandal. I hope the scientists write us back and tell us we can use the telescope.

IMPORTANCE OF EARLY CHILDHOOD DEVELOPMENT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I rise today to discuss the importance of early childhood development.

A few months ago, I attended the White House Conference on Early Childhood Development. Recent research suggests that the first 3 years of life are crucial for a child's emotional and intellectual development. The formation of neuropathways in the brain is directly related to the quality of care young children receive in the first 3 years of life.

Early and developmentally appropriate care and education are vital to the health and well-being of our children. But today, one-quarter of all children in this country are growing up in poverty. Teachers and principals of Maine elementary schools tell me that so many kids today lack the basic social skills that allow ordinary interaction with others.

We have had lots of rhetoric about education. What is missing is the national will to leave no child behind and the resources to make it happen. I believe that a country that can support the salaries of the NBA and NFL and major league baseball can take better care of our kids.

TRIBUTE TO CARLINVILLE HIGH SCHOOL PRINCIPAL DICK SPOHR

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, the building was destroyed by fire. The walls were the only thing left standing. In September 1987, the Carlinville High School, which lies in the 20th District of Illinois, was destroyed by fire.

In a move that is common in my area of Illinois, Carlinville High School Principal Dick Spohr rallied students, parents, and community leaders. Principal Spohr organized a community-wide effort to rebuild the school so that classes could resume immediately.

Ten years later, Mr. Spohr was named the 1997 Illinois Principal of the

Year by Metlife Insurance and the National Association of Secondary School Principals. However, this kind of effort is nothing new for Mr. Spohr, who believes that people make up the real school. It is the teachers, the parents, the staff, and especially the students.

As Congress tackles the tough issues, like the voucher system, national testing, and higher education reauthorization, each Member must keep in mind Mr. Spohr's sacrifice and resolve. Principal Spohr believes in the system and is always willing to give the students the freedom to make their own mistakes and rejoice in their own victories.

IN SUPPORT OF PUBLIC EDUCATION OF ALL OUR CHILDREN

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, from the early days when the word was, "Go west, young man and young woman," and as the wagons circled in the West, the one-room schoolhouse was a symbol of opportunity for Americans. Those new Westerners, those pioneers, wanted to make sure that all of our children had the opportunity to be educated.

But, Mr. Speaker, what do we have today? We have our Republican friends pulling the plug on public education. Whom do they have as a guinea pig? Washington, DC, with the misguided proposal for 2,000 children, in a city with multitudes of children, some \$3,200 voucher as a bribe to accept this thing called vouchers.

It is easy to escape from boosting the quality of public education, easy to escape from reinforcing the teaching of math and science throughout this Nation, easy to escape from rebuilding the infrastructure of our schools, fixing leaking roofs. The whole idea is to pull the plug on public education.

Well, Mr. Speaker, we will not stand for it. I am here to say that I stand for public education and the education of all of our children.

RAISING PRIVATE BONDING AUTHORITY

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, I listen with sadness to my colleague, the gentlewoman from Texas [Ms. JACKSON-LEE], because good people can disagree, and to impugn the motives of those who simply want to give parents parental choice, all parents parental choice.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentleman yield?

Mr. HAYWORTH. I have 1 minute, ma'am, and I will use my 1 minute.

Ms. JACKSON-LEE of Texas. I wish you would yield for false statements.

Mr. HAYWORTH. Mr. Speaker, I ask that the gentlewoman's words be taken down.

Ms. JACKSON-LEE of Texas. If he is accusing me, I will interrupt him.

Mr. HAYWORTH. Mr. Speaker, I regret to ask that the gentlewoman's words be taken down. She just issued a false statement.

Mr. Speaker, I will be happy to withdraw the request in the spirit of civility.

The SPEAKER pro tempore (Mr. CALVERT). Does the gentleman insist that the words be taken down?

Mr. HAYWORTH. No, Mr. Speaker. If I can indeed control the time and offer my point of view, I will be glad to do it.

The SPEAKER pro tempore. Does the gentleman withdraw his demand?

Mr. HAYWORTH. With respect to the civility of the House and with the knowledge that I control the time, I will withdraw the request.

Mr. Speaker, as I was saying, good people may disagree. It is sad when people cannot allow free and open debate.

What I am simply saying to my colleague, the gentlewoman from Texas [Ms. JACKSON-LEE], and to all my colleagues who may disagree with me on a myriad of issues, is that there is nothing wrong with parental choice, there is nothing wrong with giving parents of every race and political persuasion and every ethnic group a chance to decide how best to educate their children.

And for those who want to join with me to help educate in the public sector, as we should, I would invite them to cosponsor the Education Land Grant Act that I am working on for public schools and to join with my colleague, the gentleman from Georgia [Mr. LEWIS], and me in raising the private bonding authority through private banks and financial houses from \$10 million to \$25 million so we can get a handle on education.

The fact is, education is too big a problem to ignore and we will all do better when we quit impugning each other's motives.

NO CONSULTATION WITH RANKING MINORITY MEMBER

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I rise more in disappointment than in anger. I am the Democratic member of the task force on the contested election in the 46th District, the district of the gentlewoman from California [Ms. SANCHEZ]. I have not taken to the well of the House or to the podium upstairs in the press gallery to talk about the disturbing pattern that has developed in this investigation.

Several days ago, the House Oversight Committee adopted a resolution providing for the issuance of interrogatories. The resolution clearly stated that there would be consultation with the ranking minority member. There was none. There was no discussion regarding the process or the substance of these interrogatories, directly contrary to the resolution of the committee.

What happened last week, unfortunately, is consistent with the pattern that has been established in this case. It has not been, I repeat, it has not been, a fair one. It has not been a process which has reflected a desire to proceed in a cooperative way to effect the ends of a fair investigation.

SENATE FINANCE COMMITTEE HEARINGS ON IRS ABUSES

(Mrs. MYRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MYRICK. Mr. Speaker, when was the last time that the American people saw such a spectacle as last week, when the Senate Finance Committee conducted hearings on the IRS abuses? Listen to some of the shocking things that we heard.

IRS agent Jennifer Long, a 15-year veteran with the agency, actually told the Senators that the management of IRS systematically concluded that Americans who reported less than \$20,000 in income a year were tax cheats because nobody can live on that income.

Well, I have got some people back home who would totally disagree with that, especially seniors who live on fixed incomes every day, and they get by on a lot less than that.

IRS agents are not told to go out and be just, to be fair, to use good judgment to enforce their laws. No; they are told to go out and raise as much money as possible. If they do not shake down enough money, their careers could be in jeopardy.

And now the White House is asking the very same agency that is out of control to reform itself. Maybe this is the most amazing spectacle of all.

STOP ATTACKS ON PUBLIC EDUCATION

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, the Republican assault on education is nothing new. The gentleman from Georgia [Mr. GINGRICH] and the radical Republican right have a plan to dismantle public education, abolish the Department of Education, cut the school lunch program, cut funding for safe and drug-free schools, for teacher training, for Head Start. To these at-

tacks on our children, Democrats have said "no."

Now Republicans have a new scheme: Drain funding from public education and give it to a privileged few to attend private school. Reward the few and punish the many. That is the Republican plan. To that I say "no" and Democrats say "no." Democrats believe in investing in education for all of our children, improving, reforming, and strengthening our public schools.

Mr. Speaker, 99 percent of our children attend public school. We need to work to improve our public schools. Stop attacks on public education, Mr. Speaker. Our children deserve better.

PARTIAL-BIRTH ABORTION BAN ACT OF 1997

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 262 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 262

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1122) to amend title 18, United States Code, to ban partial-birth abortions, with Senate amendments thereto, and to consider in the House a single motion that the House concur in each of the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore. The gentlewoman from North Carolina [Mrs. MYRICK] is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York [Ms. SLAUGHTER] pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

Mr. Speaker, yesterday afternoon, the Committee on Rules met to grant a rule that provides for a motion to concur to the Senate amendments to H.R. 1122, the Partial-Birth Abortion Ban Act of 1997 in the House. It is a simple rule that provides 1 hour of debate on the motion equally divided between the chairman and ranking minority member of the Committee on the Judiciary.

Supporting this rule and the motion to agree to the Senate amendments will allow us to complete the long legislative process on this bill. H.R. 1122 would then be ready to be sent to the other end of Pennsylvania Avenue, where the President will again have the opportunity to end the cruel procedure known as partial-birth abortion.

During the Committee on Rules hearing yesterday, we heard impassioned

pleas to make two amendments in order, one by the gentlewoman from New York [Mrs. LOWEY] and one by the gentleman from Maryland [Mr. HOYER]. Neither of those amendments were ruled in order.

I respect their heartfelt sentiments on this emotional issue. But I would like to point out that if we went through the normal legislative process, going to conference with the other body and working out our differences, the subsequent conference report would not be amendable either.

It may be alleged that the majority on the Committee on Rules is trying to cut off debate on this issue. Nothing could be further from the truth. We are merely trying to complete this legislative process in a timely manner.

The two proposed amendments have not gone through the normal process. They have both expanded the scope of the bill and contain language that should be carefully deliberated by my colleagues so that we are all completely sure what they mean.

□ 1045

With respect to H.R. 1122 and the Senate amendments, the two substitute amendments offered by the minority are irrelevant. The amendments would ban third-trimester abortion except to save the mother's life or health.

While that may sound perfectly reasonable, the vast majority of partial-birth abortions are performed in the fifth and sixth month of pregnancy, not the third trimester. Further, the health exemption would effectively permit all abortions. The Supreme Court interprets health abortions so broadly as to include all those related to social, psychological, financial, or emotional concerns. I realize that the Hoyer amendment defined health in another manner.

The gentleman from Florida [Mr. CANADY], chairman of the Subcommittee on the Constitution, provided testimony that indicated that there was still a great deal of latitude given to abortionists to determine if the health exemption applied.

Despite all the attention that will be given to what is not on the floor today, I would now like to focus on what is going to be on the floor today, a ban on the brutal procedure known as partial-birth abortion, with protection for the life of the mother, and let me be perfectly clear that if her life is in jeopardy, the ban does not apply, and fines and possible prison terms for physicians who violate the ban and perform this atrocity.

This resolution will allow us to vote on accepting three acceptable, simple Senate amendments which delete some language in the life exception. The bill still bans partial-birth abortion unless it is necessary to save the life of the mother, clarifies the definition of partial-birth abortion, and allows a physician to present evidence in court from

the State medical licensing authority on whether the partial-birth abortion was necessary to save the life of the mother.

There is little debate about the brutality of this procedure. In fact, the gruesome and violent partial-birth abortions are unconscionable. It has been confirmed that thousands of these procedures are performed every year. Many of those are elective and performed on healthy mothers with healthy babies. More than 80 percent of the American people and the American Medical Association support banning this practice. We live in a civilized society, one that cannot consciously condone or tolerate such inhumane and uncivilized procedures.

I strongly urge my colleagues to support this rule and the Senate amendments to H.R. 1122. It is time we complete our work on this important bill, and take a step closer to banning this most monstrous type of abortion.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this rule. This rule would allow the Congress to take up once again one of the most shameful bills that has ever come before this Chamber. In their war against a woman's right to choose, antichoice forces have shown that they are willing to sacrifice a woman's health and her future fertility to pursue the extreme agenda by passing H.R. 1122.

The House will be asked today to adopt the Senate amendments to H.R. 1122. These amendments consist of three minor changes that were made in order to secure the controversial endorsement of the American Medical Association.

These changes do not alter the substance of the bill, which seeks for the first time ever, ever, Mr. Speaker, to make a specific medical procedure a Federal crime. Rather, these changes provide further protection for doctors who may face prosecution under this proposal if it becomes law. Evidently, antichoice advocates are more interested in protecting a doctor's license than a woman's health.

I would like to bring my colleagues' attention to part of a letter I received from a Texas women's health clinic. It states:

Please do not make the mistake of thinking that the AMA speaks for all physicians on this issue. It does not speak for the American College of Obstetricians and Gynecologists, the doctors most intimately concerned with women's reproductive health; it does not speak for the 13,000 members of the American Women's Medical Association; and it does not speak for us, doctors who provide abortions to the women who need them.

Less than a year ago the President made it clear that he will veto any bill that does not pass the test of the four

women who visited him in his office, explaining that the procedure we are discussing today was necessary to preserve their health, their lives, and their reproductive ability. This bill fails that test once more.

It is not the role of Congress to determine the appropriateness of medical procedures. The doctor-patient relationship has been accepted as totally private in this country. Congress is inserting itself into the most private of decisions, and saying that we are more competent than our women and their doctors to make medical judgments.

As one of the few Members of Congress with a background in public health, I can tell the Members this most assuredly is not the case. I would like to read from a letter dated October 3 from the American College of Obstetricians and Gynecologists.

They state:

This organization, representing 38,000 physicians dedicated to improving women's health, continues to oppose the Partial-Birth Abortion Ban Act of 1997, and urges the House of Representatives to reject this legislation.

These physicians believe that H.R. 1122, as amended, continues to represent an inappropriate, ill-advised, and dangerous intervention into a medical decision.

The amended bill still fails to include an exception for the protection of the health of the woman. Further, the amended bill still violates a fundamental principle at the very heart of the doctor-patient relationship: that the doctor, in consultation with the patient, based on what the patient's individual circumstances are, must choose the most appropriate method of care for the patient.

This bill removes decisionmaking about medical appropriateness from the physician and from the patient. This bill is vague and broad. With the potential to restrict other techniques in obstetrics and gynecology, it fails to use recognized medical terminology and fails to define explicitly the prohibited medical techniques it criminalizes. Moreover, the ban applies to all stages of pregnancy. It thus would have a chilling effect on medical behavior and decisionmaking with a potential to outlaw techniques that are critical to the lives and health of American women.

Let us defeat this rule and defeat the previous question. If the previous question is defeated, I intend to offer an amendment that would make in order the Hoyer amendment, which was the same language offered by Senator DASCHLE during Senate consideration. It would ban all postviability abortions except where continuation of the pregnancy would endanger the life of the mother or risk grievous injury to her health.

Mr. Speaker, I urge my colleagues to defeat this rule, to defeat the previous

question, and also to get rid of those Senate amendments to H.R. 1122.

Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], our illustrious chairman of the Committee on Rules.

Mr. SOLOMON. I thank the gentlewoman from North Carolina for yielding time to me, Mr. Speaker.

Mr. Speaker, I would rise in support of this rule and the Partial-Birth Abortion Ban Act. I would just take exception to the statement of the gentlewoman from Rochester, NY, that this is the most shameful bill ever brought to this floor. I think what is shameful is the fact that these heinous procedures are allowed against about-to-be-born helpless children. For us to delay even another hour would be, in itself, shameful.

Mr. Speaker, this rule will allow the House to consider a motion to agree with the Senate amendments, and this is the right procedure to use in this case because if the Senate-passed version is changed in any way, in other words, the legislation has to go back to the Senate for further action, and if that happens, that means that the window of opportunity for laying this bill on the desk of the President just will not happen this year.

Is it right to delay this bill? Some say, why can we not do it in January or February? I would just pose the question, how many partial-birth abortions would take place across this country between now and next January, February, or March? Given that our colleagues in the other body have no germaneness rules, who knows what could be hooked onto this legislation and just how long it could be tied up.

As we get into this debate, I want to provide just a little of the history of this legislation. In the last Congress, a similar bill was passed by both the House and Senate. After President Clinton vetoed the bill, the House voted to override the veto by a vote of 285 to 137, overwhelming. The Senate fell short of the two-thirds vote necessary to override the veto, with a vote of 58 to 40. In this Congress, the House passed this bill by an even wider margin of 295 to 136, which is more than sufficient to override the veto, far more.

On May 20 the Senate passed the bill with amendments by a vote of 64 to 36, again, widening that margin of support, just three votes short of the two-thirds necessary to override the veto. We are getting very close to crossing the goal line with this bill. I firmly believe we are going to make it.

The issue presented by this legislation is absolutely crystal clear: do we support or do we oppose the procedure called partial-birth abortion. For me, that answer is without doubt. As my

hero, Ronald Reagan, stated so well, we cannot diminish the value of one category of human life, the unborn, without diminishing the value of all human life. There is no cause more important, said Ronald Reagan.

With regard to this legislation, there are at least two things that are different in this Congress from the last Congress, which gives both pro-choice advocates and pro-life advocates, who oppose this heinous procedure, which gives us hope that we are going to make it this time.

In the last Congress, when the President vetoed the bill, he justified that veto by contending that partial-birth abortions occur only rarely, and only when necessary to save the life of the mother. That is what the President said. That was his reason for vetoing the legislation.

It has since become clear that much of the information which the President relied on in reaching that conclusion was erroneous. The information was so wrong that one of the strongest supporters of partial-birth abortion admitted publicly that he deliberately misled the American people, he deliberately misled this Congress, and he deliberately misled the President of the United States in making that statement on which he vetoed the bill.

On February 25 of this year Ron Fitzsimmons, the executive director of the second largest abortion provider in the Nation, admitted, and many Members saw this, and if not, I will recall it to them, admitted on Nightline, and later in the New York Times, and we have the publication of the New York Times, that he lied through his teeth, he lied through his teeth, about this terrible procedure. Partial-birth abortions do in fact happen far more often than previously acknowledged, and on healthy mothers bearing healthy babies. That is what he said.

There is a second thing that is different in this Congress from the last Congress. That is, the number of votes against partial-birth abortions has increased in both the House and Senate, which I have just outlined. This legislation is picking up momentum.

In order to build on that momentum, I would ask Members, whether they are pro-life or pro-choice, because we all gather together on this important issue, to support the rule and support the Partial-Birth Abortion Ban Act.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Maryland, a very respected Member on the other side of the aisle.

Mr. HOYER. Mr. Speaker, I appreciate the gentleman's thoughtful statement, and I am well aware of his strong feelings on this. But I want to pursue, if I might, just a couple of questions, because of the difficulty of this.

Mr. SOLOMON. Mr. Speaker, if the gentleman would let me reclaim my

time, we are pressed with the time that we are allocating. If the gentleman would like to get his time, I will stay here and answer any questions, even though I have to go to the Committee on Rules in a few minutes. So I must reclaim, and ask the gentleman to get his time. I will be glad to speak to the gentleman.

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Speaker, I rise in strong opposition to this rule. I have great respect for Members of Congress who are genuinely pro-life. Some even believe if a woman is the victim of incest or rape, the Federal Government should prevent her from terminating the pregnancy. While I strongly disagree with that opinion, I can respect those who honestly believe it. But what I cannot respect is a bill that is designed for sound bites, not saving babies.

We all know this bill will pass today. Why? Because it is designed for maximum impact in 8-second sound bites and 30-second attack ads.

□ 1100

If we want to save babies, we do not outlaw one type of abortion procedure and allow all other types of late-term abortion procedures to be perfectly legal. That is why this bill might be good politics, but it will not save one baby.

If someone wants a late-term abortion under this bill, their doctor can just use a procedure not outlawed by the bill. As someone who helped pass, as a Texas Senator, a ban on late-term abortions in Texas in 1987, I think it is tragic that the supporters of this bill would not even allow us to offer an amendment similar to the Texas law, an amendment that would have outlawed all late-term abortion procedures, not just one procedure, and providing an exemption in rare cases where the mother's life or health are endangered. Denying us that amendment might have been good politics, but it is terrible policy.

The consequences of that political decision are real. First, now, today, we have a bill that will not prohibit all late-term abortion procedures, so no babies will be saved.

Second, the bill will be vetoed by the President, and is unconstitutional, because it has no health exception and limits women's choices in the second trimester, even before viability. Federal judges have already stopped such similar bills in 10 States across this Nation.

Third, women in tragic, tragic cases where their fetus has zero chance of survival, zero chance, will be forced by the Federal Government and politicians to go through a procedure that can endanger her health and stop her from ever having babies again.

I may be in the minority vote today, Mr. Speaker, but I, for one, am not willing to sacrifice one woman's fertility, one woman's chance to have the joy of having a baby in order to pass a sound bite bill that is unconstitutional. That is simply a price that no woman in America should have to pay for my political convenience or anyone else's.

Mr. Speaker, while I can respect genuine pro-life, I will not sit by silently and let some proponents of this bill suggest that those of us who oppose this bill support taking a healthy baby, just moments before a normal childbirth, and crushing the baby's skull. That is deceitful, it is dishonest, and it is wrong. It is not true, and they know it.

I strongly oppose late-term abortions. If there is one done for frivolous reasons, it should be illegal, but when a woman's health is in danger, I, like many Americans, believe that difficult choice should not be made by politicians in Washington, DC, but by a woman, her family, and her doctor.

Mr. Speaker, the reality is this: We could have passed 2 years ago, 2 years ago, the bill that pro-lifers supported in Texas as far back as 1987. That law would be saving babies today. Instead, because of the proponents' approach, their political approach, we have no Federal law. We could pass that Texas bill on this House floor today. The President would sign it tomorrow, and it could save babies the day after that. But sadly, this Committee on Rules has chosen not to even give us Members of the House the right to cast that vote of conscience and belief. That is wrong.

Mr. Speaker, the real tragedy is that to some, the politics of this bill has become more important than saving babies.

I believe it is time to save babies' lives, not sound bites. That is why I hope the President will once again have the courage to veto this bill, so that we can finally work together to pass a bill that will save babies rather than political careers.

Finally, Mr. Speaker, regardless of my colleagues' position on this difficult emotional issue, if Members of Congress believe that we should all have the right to express a vote of deep conscience and conviction, then my colleagues should oppose this unfair closed rule.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. CANADY].

Mr. CANADY of Florida. Mr. Speaker, I thank the gentlewoman for yielding me this time. I want to express my gratitude to the Committee on Rules for bringing forward this rule.

Comments have been made about whether the proponents of this bill are

doing what they can to reduce abortions. It has been suggested that another proposal which has been advanced by the President would actually be more effective in dealing with reducing abortions. I will leave it to the candid judgment of the people of this country whether it is the supporters or the opponents of this bill who are interested in reducing the number of abortions performed in America. I think the record of those who are supporting this bill speaks pretty clearly on that subject.

It has been contended that partial-birth abortion is, in some cases, necessary to protect the health of the mother. That is simply untrue. Partial-birth abortion is never necessary to protect the health of a woman. Hundreds of obstetricians and gynecologists and maternal fetal specialists have come forward to unequivocally state that partial-birth abortion is never medically necessary to protect a mother's health or her future fertility. On the contrary, this procedure can pose a significant threat to both.

The American Medical Association, which is on record in support of abortion rights, supports banning partial-birth abortion because it is not necessary and it is, and I quote, "not good medicine."

Furthermore, in an American Medical News article, Dr. Warren Hern, a late-term abortionist, disputed the safety of partial-birth abortion. I want to quote directly from this article. It says even some in the abortion-provider community find the partial-birth abortion procedure difficult to defend. "I have very serious reservations about this procedure," said Colorado physician Warren Hern, M.D.

The author of "Abortion Practice," the Nation's most widely used textbook on abortion standards and procedures, Dr. Hern specializes in late-term procedures. He opposes the bill, he said, because he thinks Congress has no business dabbling in the practice of medicine. But of the procedure in question, he says, "You really can't defend it. I'm not going to tell somebody else that they should not do this procedure. But I'm not going to do it."

Dr. Hern's concerns center on claims that the procedure in late-term pregnancy can be safest for a pregnant woman and without this procedure, women would have died. "I would dispute any statement that this is the safest procedure to use," he said.

Turning the fetus to a breech position is potentially dangerous, he added. "You have to be concerned about causing amniotic fluid embolism or placental abruption if you do that."

Pamela Smith, M.D., director of medical education, Department of Ob-Gyn at Mount Sinai Hospital in Chicago, added two more concerns: cervical incompetence in subsequent pregnancies caused by 3 days of forceful dilation of

the cervix and uterine rupture caused by rotating the fetus within the womb.

Partial-birth abortion is used by some abortionists for their own convenience. It is never necessary to partially deliver a live child and jam scissors into the back of that child's head to preserve a mother's health. Think about it. Look at what they do. How is partially delivering the child, jamming scissors in the child's head, in any way calculated to protect the health of the mother? If the pregnancy must be terminated because of the health of the mother, if the child must be delivered, the child can be delivered without stabbing the child in the back of the head.

This is an argument that has absolutely no merit. It is an argument that is being advanced in defense of a procedure that simply cannot be defended.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, the women who undergo this late-term abortion procedure do so, they do so when they are left with no other choice. Often, this procedure is the only one which will save the life of the mother and preserve her fertility so that one day, in fact, she can have the chance to have another healthy child.

I received a letter from one of my constituents who underwent this procedure. The child that she was carrying was the victim of a chromosomal abnormality so rare that it does not even have a name. Her child was missing genetic information, was missing internal organs, and her digestive system was in difficulty.

After meeting with her rabbi, with a genetics counselor, talking with her doctor and with her family, my constituent decided to have this procedure because her doctor told her that it would preserve her ability to have another child.

She is now the proud mother of a young girl, realizing, fulfilling the dreams of herself and her family to be able to have a baby. She deeply mourns the child that she lost, but she is grateful that she had the chance to have that baby girl, a chance that she would not have had if she had been forced to carry that pregnancy to term.

This bill would have taken that decision out of the constituent's hands and out of the hands of her doctors, and yes, there are many, many doctors who believe that what my colleagues on the other side of the aisle are trying to do is to take the decision out of the hands of the doctors.

This is the most painful decision that any woman, any family will ever have to make. Families deserve to make it for themselves, and that is why I oppose this bill and this rule.

If my colleagues on the other side of the aisle truly wanted to ban this procedure, they would have made in order a Democratic alternative that would

have included an exemption in the cases when the health of the mother is at risk. They refuse to deal with the issue of the health of the mother. The President has said that he will veto any bill that does not include a health exemption, and indeed, he has already vetoed a virtually identical bill.

Instead, what they do is they insist on playing partisan politics with women. We are not going to stand for it. The President is not going to stand for it, and my friends, the women of America are not going to stand for it. I urge my colleagues to oppose this rule and to oppose this bill.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Speaker, what we just heard was a very unfortunate story, but the most unfortunate thing about the story is the woman was lied to by her physician, for in fact there is never a medical reason to care for any anomaly associated with pregnancy in this way.

This debate is not going to be centered around truth. It has not been. There is never an indication to use this procedure to save the life of a woman. And if, in fact, that were not true, the bill still protects for that. So it is a specious argument to say that partial-birth abortion is required to save the life of a woman. It is just absolutely untrue.

Now, why would I say that? I have cared for every imaginable type of anatomic, genetic defect in the over 3,200 babies that I have cared for, let alone the other 1,000 or so pregnancies that did not come to fruition. Why? Why do we have the partial-birth abortion? We have the partial-birth abortion as a convenience to abortionists.

Now, it makes good rhetoric to say that this saves the life of a woman; it makes good rhetoric to say that this is the only way we can in fact allow that choice for that woman in a very unfortunate situation, but it is not medically true, it is not scientifically true. But it philosophically supports the idea that no matter what we want, if we want to terminate a life at any time, for any reason, for any cause, then we ought to do this.

The argument ought to be on the basis of what people think, and if one really believes that, then one ought to stand up and say that. Some 80 percent of the babies that have been aborted this way were absolutely normal, nothing wrong with them. Look at Bergen County, NJ. Look at the data. It is truly representative of what goes across this country, it is truly representative of what happens in the reproductive field in this country. It is OK if in fact one believes that one ought to be able to terminate a life at any time, for any reason, in any way, but stand up and say that. Do not distort what the medical information is.

□ 1115

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. COBURN. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I understand what the gentleman is saying. His representation is that the doctor did not tell the patient the truth.

Mr. COBURN. Mr. Speaker, reclaiming my time, absolutely.

Mr. HOYER. Mr. Speaker, if the gentleman would continue to yield, in the instance if one accepts the premise that the condition existed, I would ask the gentleman what alternative would he have recommended.

Mr. COBURN. Mr. Speaker, again reclaiming my time, easy. The doctor would do the same thing in terms of preparing, if the life need to be terminated for the life of the woman, which in fact in this case I do not know the details, I cannot say.

Mr. HOYER. Mr. Speaker, I ask the gentleman to accept that as a premise.

Mr. COBURN. Mr. Speaker, if the gentleman would continue to yield, accepting that as a premise, that in fact if the life of the woman was in danger, could it have been done? Easy. It is called prostaglandin induction, and without putting the woman at risk.

The other false statement is that this procedure is known to put the woman's fertility at risk, not ensure her future fertility. Every major obstetrical textbook says doctors should not forcefully dilate the cervix. This procedure forcefully dilates the cervix.

Mr. HOYER. Mr. Speaker, if the gentleman would continue to yield, I did not get the term. What would have been the result?

Mr. COBURN. Mr. Speaker, again reclaiming my time, spontaneous abortion that would have occurred without a puncture vacuum evacuation of the cranium.

Mr. HOYER. Mr. Speaker, if the gentleman would again yield, and the fetus or the child would not have survived?

Mr. COBURN. Mr. Speaker, reclaiming my time, I do not know, and the gentleman does not know. Many times babies have been born in my care that would not survive. We chose not to make the decision on what their survival would be. Physicians are not that accurate in terms of life and death. We obviously are human, and we make those mistakes.

My point is, this woman, if in fact she needed to be evacuated, could be evacuated in many ways other than this method.

Mr. HOYER. Mr. Speaker, if the gentleman would again yield, I would ask the doctor, I am correct then that eliminating this prior would not necessarily eliminate the abortion?

Mr. COBURN. Mr. Speaker, reclaiming my time, it would not. The gentleman is correct.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if I may add for just a moment to what the doctor has said, if the doctor does not know, how does he expect Members of Congress to make this decision? Why should we be doing that?

Mr. COBURN. Mr. Speaker, will the gentleman yield?

Ms. SLAUGHTER. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Speaker, it is not a matter of knowing life or death; it is a matter of knowing techniques that are used. There is a very big difference in saying that we can use a procedure that is a convenience to the abortionist that is heinous, that is totally cruel and inhumane, versus the methods that are available that are not.

Ms. SLAUGHTER. Mr. Speaker, reclaiming my time, I would ask the gentleman whether it bothers him at all as a physician that the Congress of the United States is outlawing for the first time and making a Federal crime a medical procedure?

Mr. COBURN. Mr. Speaker, if the gentleman would continue to yield, this is not a medical procedure in my estimation. This is murder. This has nothing to do with medicine. It has to do with murder at the convenience of the abortionist.

Ms. SLAUGHTER. Mr. Speaker, reclaiming my time, I am saddened beyond measure every time we debate this issue. Every one of us who has been brought up by a woman that we consider brilliant and wonderful suddenly decides here that the women in the country do not have any sense at all and, if this Congress did not act, they might do something really dreadful.

Well, for all of my colleagues who have never had the honor of carrying a baby, let me say it does not work that way. Women who undergo this procedure want these babies desperately. The fact that at almost the point of birth they find that they cannot carry that baby to term is heartbreaking for them.

Mr. Speaker, I pray that none of my colleagues, and none of their family members, ever have to reach that decision. But for heavens sake, I do not believe it is the province of the House of Representatives to determine whether or not that woman can get that procedure. In fact, I would wager to my colleagues, if that decision were to be made, a woman and her family facing that and this procedure was outlawed, I do not believe that the doctor would stop it.

Mr. Speaker, I yield 2 minutes to the gentleman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, there truly is no rest for the weary. And I tell my colleagues, the women of this country are weary. They are just plain tired of the constant stream of attacks launched by the Republican leadership in this House.

Mr. Speaker, today's assault on women is especially dangerous. It is dangerous because it puts women's health at risk.

I rise in opposition to this rule today because it does not allow an amendment to safeguard the health of women in this country. The health of women should be what this bill is about, Mr. Speaker. Instead, this bill makes complicated medical pronouncements while ignoring the health of women, those who are most affected.

That is why the American College of Obstetricians and Gynecologists, the American Nurses Association, and the American Medical Women's Association all strongly oppose this legislation. These groups oppose the bill, Mr. Speaker, because it will hurt women, plain and simple, hurt women.

Mr. Speaker, it continues to amaze me that Members of this House have so little faith in women, the very people who bear and raise the children of this country, so little faith that they would deny them access to the lifesaving procedures out of some ridiculous notion that pregnant women do not care about their children, that they wait until the last moment to abort a pregnancy.

Mr. Speaker, I urge my colleagues, put women ahead of politics. I urge my colleagues, defeat the previous question. I urge my colleagues to let the decisions be made between the women and their doctors.

Mrs. MYRICK. Mr. Speaker, I yield 15 seconds to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Speaker, I would just remind the body that the testimony before Congress is that over 80 percent of these that are performed were elective. That is the testimony before the committees of this Congress.

Ms. SLAUGHTER. Mr. Speaker, I yield 15 seconds to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I would ask the gentleman from Oklahoma [Mr. COBURN], in that testimony, was the testimony as to at what stage that was done?

Mr. COBURN. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Speaker, it was across the stage, most of them more than viable, greater than 22½ weeks.

Mr. HOYER. Postviability?

Mr. COBURN. Postviability.

Mrs. MYRICK. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman from New York [Ms. SLAUGHTER] for her courage and leadership in defending women of America, their lives and their safety.

Mr. Speaker, I rise in strong opposition to the amended version of H.R.

1122. This bill, in its original form and as amended, puts at great risk women's health and future fertility. The bill provides no exception to protect a woman's health. It would prevent a qualified doctor from using a medical procedure that could be the most medically appropriate one to save the life and health of a woman.

This House of Representatives lacks the extensive medical qualifications needed to determine what is in the best interest of the patient. Why are we in the House of Representatives now choosing and deciding about medical procedures? It is ridiculous.

Mr. Speaker, this bill forces qualified physicians to make a choice between their best medical judgment and a prison sentence. Doctors should not have to fear criminal prosecution for providing what they have determined to be the most compassionate care possible for a woman in an excruciating circumstance, and that circumstance is that the baby is not viable, that the baby is lost, that people who have been joyfully expecting a new baby have to face the terrible reality that the baby is not going to survive. This is just the most helpful way in terms of the woman to proceed, if the doctor, the woman, and her family decide to go this way.

Mr. Speaker, I urge my colleagues to protect the health of the woman and vote against this legislation which is both unconstitutional and inappropriate.

Let me say that I understand how difficult this issue is for all of us. It is not easy to have this kind of discussion. But I believe that this is not an issue that rests with Congress. This legislation destroys the family's right to face a devastating circumstance with safety and dignity.

The President will not sign a bill that threatens this right. This decision is appropriately made by the woman. I urge my colleagues to vote "no".

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska [Mr. CHRISTENSEN].

Mr. CHRISTENSEN. Mr. Speaker, I would remind the gentlewoman from California [Ms. PELOSI] that the American Medical Association has not recognized this procedure as a medically necessary procedure.

Mr. Speaker, I rise in strong support today of this rule on H.R. 1122, which will ban this partial-birth procedure.

Each day we have an opportunity to craft legislation in this Chamber that is going to affect the lives of men and women and children all across this Nation. Today is no different. But today we have an opportunity also to restore some morality to this country.

Mr. Speaker, I believe that the decision that we are faced with, after hearing the graphic illustrations, after listening to the testimony, after listening to the gentleman from Oklahoma [Mr.

COBURN] having delivered 2,200 babies, state that this is not a necessary medical procedure; listening to former people who were in charge of this issue who used to be pro-abortion who have now voted in favor of outlawing this procedure. The testimony is clear. The evidence is direct. There should be no divisiveness on this issue.

Protecting the life of unborn children after viability should not be an issue. As a Nation, as a family, we should come together on this issue. We should come to agree on this issue. Postviability abortion is wrong. Partial-birth abortions are wrong. Killing the unborn baby is wrong.

Mr. Speaker, this is not about the life of the mother. We have already heard from the testimony of Dr. COBURN and other people that there are other ways and other procedures and other things that can be done. Taking the life of an unborn child once viability is proven is clear-cut murder. It is wrong. We should not allow it.

We must come together as a body, we must come together as a Nation, to heal this situation. Today we have that opportunity. Vote in favor of H.R. 1122.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to put on the record a comment. Although Dr. COBURN has his opinion, that is just one doctor.

I would like to say that a panel convened by the American College of Obstetricians and Gynecologists says that while it is not the only option, "An intact D&X may be the best or most appropriate procedure in a particular circumstance to save the life or preserve the health of a woman, and only the doctor, in consultation with the patient, based upon the woman's particular circumstances, can make this decision."

Mr. Speaker, if we believe this is murder, we should be filing criminal charges, and I do not see anybody doing that.

Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, like most Americans, I wrestle with this issue more than any other. It hits in every possible way, moral, physical. It is a gut-wrenching issue.

Like most Americans, I oppose late-term abortion. Like most Americans, I would support late-term abortion only to save the life of the mother or to protect her health, to protect her from serious health endangerment.

This legislation does not do this. This legislation does not seek to protect the health of the mother. If people wanted to truly ban late-term abortions, we would not ban one procedure, we would ban all late-term abortions, which I have voted for, except to save the life of the mother or to protect her from serious health risks.

Mr. Speaker, agonizing about this, I called three physicians across the country, three ob/gyn's. I respect the opinion of the gentleman from Oklahoma. They do not agree with him. That is a fair statement that there is not agreement on this. But those three ob/gyn's who have done a wide range of deliveries, who each of them have been delivering babies at least 23 years, all of them said that this procedure in limited circumstances was necessary.

In fact, I believe in each case they had performed the procedure in many, many years of deliveries only twice, and in two cases at least then necessary to protect the health of the mother, because the child was going to be born dead, was hydrocephalic, and they felt there was no other way to do it and to protect the life of the mother.

The American College of Obstetricians and Gynecologists disagrees with what this Congress is about to do today. I have heard about the American Medical Association, but the physicians that actually deliver the babies, they disagree and they think that this is a bad piece of legislation.

Mr. Speaker, we can all agree that late-term abortions should not be allowed except when the mother's life or her health would be seriously in danger. But I cannot vote for this legislation, because that means I have to look a woman in the eye and say, even though there may have been a medical procedure that would have protected your health, the Congress voted not to let it be done.

Mrs. MYRICK. Mr. Speaker, I would like to inquire of the amount of time left for each side, please.

The SPEAKER pro tempore (Mr. CALVERT). The gentlewoman from North Carolina [Ms. MYRICK] has 7¾ minutes remaining, and the gentlewoman from New York [Ms. SLAUGHTER] has 8¾ minutes remaining.

Mrs. MYRICK. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. SCOTT].

□ 1130

Mr. SCOTT. Mr. Speaker, I rise in opposition to the rule because the rule leaves out the possibility that we can consider a bill that is constitutional. This bill is clearly unconstitutional, and State laws have been thrown out recently because the Supreme Court has said that we cannot restrict a woman's right to choose if the restriction endangers the life and health of the mother.

Mr. Speaker, nine State lawsuits have been decided just this year that have thrown out similar State laws. For example, in Michigan the court said that such a ban "would operate to eliminate one of the safest post-first-trimester abortion procedures," and the court therefore found that a

woman would have to go into riskier procedures and they threw out the law.

In Nebraska the ban was unconstitutional because it would subject patients to "appreciably greater risk of injury or death." That law was enjoined just this year.

In Montana, just this year, the court concluded that there would be an increase in the amount of risk and pain that must be suffered, and they enjoined the implementation of the law.

Louisiana, they found that it would be unduly burdensome by virtue of banning the safest, most common procedures used after the first trimester.

Mr. Speaker, State after State after State concluded that the law was unconstitutional. We need to defeat the previous question so that we can consider the amendment to be offered by the gentleman from Maryland that would make the law constitutional so that we can consider a constitutional law. I would hope that we would defeat the previous question, adopt the Hoyer amendment, or defeat the rule.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Speaker, I have often wondered what would happen if Congress based our decisions on truth and logic. Today we are debating a rule for banning partial-birth abortion. Some will say the procedure is necessary but the gentleman from Oklahoma, Dr. COBURN, was very clear. He says that it is unnecessary, and he has delivered 3,200 children. I think he probably knows what he is talking about. Some will say it is needed to allow for the health of the mother. That is really undefined. It could mean a headache or perhaps an emotional strain.

The truth is this procedure is not needed. Its purpose is very simple. It is for the convenience of performing abortions. It is to satisfy a very specific group here in America, the abortion industry. That is why in my estimation an abortionist from Wichita, KS, traveled to Washington, DC, to attend a Presidential coffee, contributed \$25,000 to the Democratic National Party, following the President's veto of the partial-birth abortion ban.

There is a letter then from the Pope condemning the President for this veto. It is very interesting the Pope has only written about six such letters this century, all the Popes this century. And they include people like Ayatollah Khomeini, Muammar Qadhafi, Adolf Hitler, tyrants, all tyrants who placed a very low value on human life.

The opposition to this rule and the opposition to this ban is very simple. It is merely support for the abortion industry, purely to support those who want the convenience of this procedure. It is not necessary medically. It is not needed for the health of the mother. It is just a convenience for the

abortion industry. That is the truth and the logic behind this debate. That is the truth and logic behind these arguments, simply to support the abortion industry.

I say to my colleagues, let us support H.R. 1122. Let us support this rule and let us ban this hideous procedure that is not necessary, not for medical reasons, not for political reasons, purely to support the abortion industry.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, this issue is one that generates a great deal of emotion. I appreciate that we all may agree and disagree. I think the strength of our democracy belongs in that opportunity to agree and disagree and to have our voices be heard.

I am compelled to speak on this issue, one, because the law does indicate that a woman in this Nation has a right to choose. I am distressed that our leaders did not see fit to provide an open rule so that all of our views could be expressed. I do not ask my colleagues to agree with me but I do ask them to allow me the opportunity to vote on my position and the rights of women to choose.

Yesterday afternoon at the Committee on Rules both the gentlewoman from New York [Mrs. LOWEY] and the gentleman from Maryland [Mr. HOYER] offered amendments. The committee, however, did not see fit to make either of these amendments in order. This should have been an open rule.

Mr. Speaker, I ask that this rule be opposed and defeated and, in the alternative, that these amendments be allowed so that all of our voices and all of our views can be represented, and the law can be represented, and a woman's right to choose.

Mr. Speaker, I rise today to voice my opposition to the closed rule on H.R. 1122 that is before us. There is a great deal of emotion surrounding the debate on H.R. 1122. While I may not agree with some of my colleagues views on this issue, I respect that those views are both thoughtful and deeply held. I believe that the strength of our democracy lies in the fact that we open the door to all voices and all opinions—both those that we disagree with and those that we do not.

It is for this reason that I am compelled to speak. I am distressed that this rule does not respect or acknowledge the divergence in our views. I do not ask my colleagues to agree with me on the issue of abortion, or to vote with me, but I do ask that they allow me the opportunity to cast a vote that reflects my views.

Yesterday afternoon at the Rules Committee meeting, both Representatives LOWEY and HOYER offered amendments to H.R. 1122. The committee, however, did not see fit to make either of these amendments in order. I would like to say that I was surprised upon hearing this decision, but I cannot. Once again the committee has issued a restrictive rule that

denies the Members of this Congress the opportunity to vote on an alternative to their favored legislation.

I find it particularly interesting that the committee has denied this House a vote on Mr. HOYER's amendment in the nature of a substitute. That amendment would have banned all abortions in the final trimester allowing only a very narrow exception for the life and physical health of the mother. In fact, this is a much broader ban than that currently in H.R. 1122. It seems to me that if the goal of this bill's sponsors was truly to protect life, then they would support the Hoyer amendment.

My colleagues this rule does not respect the divergence of our views. It does not allow Members to cast a vote for an alternative that reflects those views. For these reasons, I urge my colleagues to vote against this rule on H.R. 1122.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. BARCIA].

Mr. BARCIA. Mr. Speaker, I rise today in support of the amendments to the Partial-Birth Abortion Ban Act. I urge my colleagues to really think for a moment about what we are debating here today.

This is not a bill that will end a person's choice. This is not a vote that will overturn Roe versus Wade. This vote will not end a person's right to terminate their pregnancy. And this vote will not endanger the lives of pregnant women across this country.

This vote will save innocent children from having their lives ended before they have a chance to speak. This vote will simply prohibit one and only one type of particularly gruesome abortion, a type of abortion where a live baby, one that could usually survive outside the womb, is partially delivered, then has the first vision of light snuffed out forever.

With modern medical procedures available, we must ask ourselves if it is necessary to sacrifice innocent children because it is convenient or easier for the parents. I do not think so and neither do millions of Americans across this country who believe, just as I do, that life is too precious to waste.

A couple from Michigan could have chosen to abort their baby when they were told that the baby had a tumor that endangered her life. When she was only 4 inches long, Sarah Elizabeth was briefly removed from her mother's womb so doctors could remove the growing tumor. Sarah's heart stopped beating during the surgery and the surgeon performed CPR for 20 minutes to revive her before returning her to the safety of the womb. In July 1996, Sarah was delivered and is now a healthy toddler. Time and time again medical miracles like Sarah's show us that a child in the womb is a unique, irreplaceable and precious human being deserving of our help and protection.

Unfortunately, even as lives like Sarah's are being saved by scientific breakthroughs, other children's lives

are being extinguished by partial-birth abortions. The care Sarah received from a conscientious surgeon provides a stark contrast to the treatment her mother might have legally have chosen, a partial-birth abortion.

Sarah was not in perfect physical health when she was growing in her mother's womb. She had a life-threatening condition. But she, like every other precious unborn baby, was always a perfect child in need of love and care.

Support this bill and give thousands of children like Sarah at least a chance at life.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

I want to urge Members to defeat the previous question. If it is defeated, I will offer an amendment to the rule that will make in order an amendment in the nature of a substitute offered in the Committee on Rules yesterday by the gentleman from Maryland [Mr. HOYER]. The amendment is the same language offered by Senator DASCHLE during Senate consideration.

Members of this House deserve an opportunity to vote on this substitute. Vote "no" on the previous question.

Mr. Speaker, I include the text of the amendment:

AMENDMENT TO HOUSE RESOLUTION 262

Strike all after the resolved clause and insert in lieu thereof the following:

"That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1122) to amend title 18, United States Code, to ban partial-birth abortions, with Senate amendments thereto, and to consider in the House, any rule of the House to the contrary notwithstanding, a single motion offered by Representative Hoyer of Maryland that the House concur in the amendments of the Senate with an amendment. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the proponent and an opponent. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question."

HOYER AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1122 AS AMENDED BY THE SENATE

SECTION 1. SHORT TITLE.

This Act may be cited as the "Comprehensive Abortion Ban Act of 1997".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As the Supreme Court recognized in *Roe v. Wade*, the government has an "important and legitimate interest in preserving and protecting the health of the pregnant woman . . . and has still another important and legitimate interest in protecting the potentiality of human life. These interests are separate and distinct. Each grow in substantiality as the woman approaches term and, at a point during pregnancy, each becomes compelling".

(2) In delineating at what point the Government's interest in fetal life becomes "compelling", *Roe v. Wade* held that "a State may not prohibit any woman from

making the ultimate decision to terminate her pregnancy before viability", a conclusion reaffirmed in *Planned Parenthood of Southeastern Pennsylvania v. Casey*.

(3) *Planned Parenthood of Southeastern Pennsylvania v. Casey* also reiterated the holding in *Roe v. Wade* that the government's interest in potential life becomes compelling with fetal viability, stating that "subsequent to viability, the State in promoting its interest in the potentiality of human life may, if it chooses, regulate, and even proscribe, abortion except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother."

(4) According to the Supreme Court, viability "is the time at which there is a realistic possibility of maintaining and nourishing a life outside the womb, so that the independent existence of the second life can in reason and all fairness be the object of State protection that now overrides the rights of the woman."

(5) The Supreme Court has thus indicated that it is constitutional for Congress to ban abortions occurring after viability so long as the ban does not apply when a woman's life or health faces a serious threat.

(6) Even when it is necessary to terminate a pregnancy to save the life or health of the mother, every medically appropriate measure should be taken to deliver a viable fetus.

(7) It is well established that women may suffer serious health conditions during pregnancy, such as breast cancer, preeclampsia, uterine rupture or non-Hodgkin's lymphoma, among others, that may require the pregnancy to be terminated.

(8) While such situations are rare, not only would it be unconstitutional but it would be unconscionable for Congress to ban abortions in such cases, forcing women to endure severe damage to their health and in some cases, risk early death.

(9) In cases where the mother's health is not at such high risk, however, it is appropriate for Congress to assert its "compelling interests" in fetal life by prohibiting abortions after fetal viability.

(10) While many States have banned abortions of viable fetuses, in some States it continues to be legal for a healthy woman to abort a viable fetus.

(11) As a result, women seeking abortions may travel between the States to take advantage of differing State laws.

(12) To prevent abortions of viable fetuses not necessitated by severe medical complications, Congress must act to make such abortions illegal in all States.

(13) Abortion of a viable fetus should be prohibited throughout the United States, unless a woman's life or health is threatened and, even when it is necessary to terminate the pregnancy, every measure should be taken, consistent with the goals of protecting the mother's life and health, to preserve the life and health of the fetus.

CHAPTER 74—ABORTION PROHIBITION

Sec.

1531. Prohibition.

1532. Penalties.

1533. State regulations.

1534. Rule of construction.

1531. Prohibition.

(a) In General: It shall be unlawful for a physician to abort a viable fetus unless the physician certifies that the continuation of the pregnancy would threaten the mother's life or risk grievous injury to her physical health.

(b) Grievous Injury:

(1) In general: For purposes of subsection (a), the term "grievous injury" means—

(A) a severely debilitating disease or impairment specifically caused by the pregnancy; or

(B) an inability to provide necessary treatment for a life-threatening condition.

(2) Limitation: The term "grievous injury" does not include any condition that is not medically diagnosable or any condition for which termination of pregnancy is not medically indicated.

(c) Physician: In this chapter, the term "physician" means a doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which the doctor performs such activity, or any other individual legally authorized by the State to perform abortions, except that any individual who is not a physician or not otherwise legally authorized by the State to perform abortions, but who nevertheless directly performs an abortion in violation of subsection (a) shall be subject to the provisions of this section.

(d) No Conspiracy: No woman who has had an abortion after fetal viability may be prosecuted under this section for a conspiracy to violate this section or for an offense under section 2, 3, 4, or 1512 of title 18, United States Code.

1532. Penalties.

(a) Action by Attorney General: The Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General or United States Attorney specifically designated by the Attorney General may commence a civil action under this chapter in any appropriate United States district court to enforce the provisions of this chapter.

(b) Relief:

(1) First offense: Upon a finding by the court that the respondent in an action commenced under subsection (a) has knowingly violated a provision of this chapter, the court shall notify the appropriate State medical licensing authority in order to effect the suspension of the respondent's medical license in accordance with the regulations and procedures developed by the State under section 1533(d), or shall assess a civil penalty against the respondent in an amount not exceeding \$100,000, or both.

(2) Second offense: If a respondent in an action commenced under subsection (a) has been found to have knowingly violated a provision of this chapter on a prior occasion, the court shall notify the appropriate State medical licensing authority in order to effect the revocation of the respondent's medical license in accordance with the regulations and procedures developed by the State under section 1533(d), or shall assess a civil penalty against the respondent in an amount not exceeding \$250,000, or both.

(3) Hearing: With respect to an action under subsection (a), the appropriate State medical licensing authority shall be given notification of and an opportunity to be heard at a hearing to determine the penalty to be imposed under this subsection.

(c) Certification Requirements: At the time of the commencement of an action under subsection (a), the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General or United States Attorney specifically designated by the Attorney General shall certify to the court involved that, at least 30 calendar days prior to the filing of such action, the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General or United States Attorney involved—

(1) has provided notice of the alleged violation of this section, in writing, to the Governor or chief executive officer and attorney

general or chief legal officer of the State or political subdivision involved, as well as to the State medical licensing board or other appropriate State agency; and

(2) believes that such an action by the United States is in the public interest and necessary to secure substantial justice.

1533. Regulations.

(a) Regulations of Secretary for Certification:

(1) In general: Not later than 60 days after the date of enactment of this chapter, the Secretary of Health and Human Services shall publish proposed regulations for the filing of certifications by physicians under section 1531(a).

(2) Requirement: The regulations under paragraph (1) shall require that a certification filed under section 1531(a) contain—

(A) a certification by the physician (on penalty of perjury, as permitted under section 1746 of title 28) that, in his or her best medical judgment, the abortion involved was medically necessary pursuant to such section; and

(B) a description by the physician of the medical indications supporting his or her judgment.

(3) Confidentiality: The Secretary of Health and Human Services shall promulgate regulations to ensure that the identity of the mother described in section 1531(a) is kept confidential, with respect to a certification filed by a physician under section 1531(a).

(b) Action by State: A State, and the medical licensing authority of the State, shall develop regulations and procedures for the revocation or suspension of the medical license of a physician upon a finding under section 1532 that the physician has violated a provision of this chapter. A State that fails to implement such procedures shall be subject to loss of funding under title XIX of the Social Security Act.

1534. Rule of Construction.

(1) In general: The requirements of this chapter shall not apply with respect to postviability abortions in a State if there is a State law in effect in the State that regulates, restricts, or prohibits such abortions to the extent permitted by the Constitution of the United States.

(2) State law: In paragraph (1), the term "State law" includes all laws, decisions, rules or regulations of any State, or any other State action having the effect of law.

(b) Clerical Amendment: The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 73 the following new item:

74. Prohibition of post-viability abortions 1531. ***

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Speaker, partial-birth abortions involve killing partially delivered babies, usually from the fifth month on into the later stages of pregnancy. This gruesome procedure consists of partially delivering the live baby feet first, with only the head inside the mother's womb, and then stabbing the child at the base of the skull.

Partial-birth abortions are performed mainly on healthy babies of healthy mothers. The American Medical Association says that the partial delivery of a living fetus for the purpose of killing it outside the womb is ethically offensive to most Americans and doctors. The AMA could find no identified cir-

cumstance in which the procedure was the only safe and effective abortion method.

The worst tragedy of partial-birth abortions is that most are done for strictly elective reasons. We must take action to end this heinous act of killing the innocent unborn.

Ms. SLAUGHTER. Mr. Speaker, I yield the balance of my time to the gentleman from Maryland [Mr. HOYER].

The SPEAKER pro tempore (Mr. CALVERT). The gentleman from Maryland [Mr. HOYER], is recognized for 5½ minutes.

Mr. HOYER. Mr. Speaker, I rise in opposition to this rule. This rule precludes the one opportunity that Members will have to vote against late-term abortions, elective or otherwise.

Hear me now, Mr. Speaker. Voting against this rule will be the only opportunity they have to vote against late-term abortions.

Why do I say that? The American press has done a disservice to the American people in characterizing the bill before us as a late-term abortion bill. It is not. It does not mention late term. It is not about late term. It is about a procedure.

The gentleman from Oklahoma [Mr. COBURN] was accurate on that matter. I want to refer to some of the things that the gentleman from Oklahoma [Mr. COBURN] said, because the Republicans rightfully point to a man who has experience and, therefore, can speak with more experience than the rest of us.

First of all, he said that this bill that is pending before us does not preclude a single abortion, not one. It does not preclude one abortion, if we vote and pass this bill and the President signs it. It does prohibit a procedure.

I further asked the gentleman from Oklahoma how many of these abortions, as a matter of fact, he said, that were done through this procedure were elective. He said approximately 80 percent, that has been repeated a number of times, were elective.

I say to my colleagues, if they vote against the rule and allow the Hoyer amendment to be offered, they will have an opportunity to preclude every one of those 80 percent abortions that, as the gentleman from Oklahoma [Mr. COBURN] said, most were done postviability.

Let me make my statement absolutely accurate. Every postviability elective abortion, not just done with this procedure but any procedure, will be outlawed. I want my colleagues to understand, voting against this rule and voting for the Hoyer amendment, which is the Daschle-Snowe, Democratic minority leader and Republican Senator from Maine, the Daschle amendment, is the only opportunity we will have to vote against late-term abortions and have the Federal law essentially like 43 other States.

This is not an isolated judgment nor an independent act or amendment. This is an amendment that 43 legislatures have essentially said ought to be the law. What does it say? It says that it permits a postviability abortion only if the life of the woman is endangered, to that extent it tracks the Hyde language, or if carrying the fetus to term would present the, and I quote, risk of grievous injury to her physical health. It therefore precludes any claim that this is a Mack truck exception for mental health.

□ 1145

It specifically requires grievous physical risk. The amendment defines grievous injury as meaning that the continuation of the pregnancy would directly result in, and again I quote from the Hoyer-Daschle amendment, a severely debilitating disease or impairment, or prevents a physician from providing necessary treatment for a life-threatening condition; for example, a fast spreading cancer, the treatment of which, aggressive chemotherapy, would be incompatible with carrying a healthy fetus to term.

My colleagues, this imposes a \$250,000 fine and possible revocation of license on the doctor who violates this.

I want to make it very clear to everybody in this House I am opposed to late term elective abortions. They should not happen in America. If, on the other hand, we have at risk the life of the mother, that is a wrenching judgment that the mother and her physician will have to make, and I will not interpose my judgment in that critical situation.

So I ask the Members of this House to give us an opportunity to state clearly the policy of the United States of America that late-term abortions are against public policy. The only way we can do that is to vote against this rule so that this amendment can be offered to this bill.

Mrs. MYRICK. Mr. Speaker, I yield 30 seconds to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I would ask a question of the last speaker. How does the gentleman's definition in his bill trump the Supreme Court, which defined health in Doe versus Bolton as a state of emotional well-being? How does his mere statute trump the Supreme Court's definition of health?

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Maryland.

Mr. HOYER. How does the Hyde statute, sir?

Mr. HYDE. Mr. Speaker, reclaiming my time, I do not talk about the Supreme Court.

Mr. HOYER. If the gentleman will continue to yield, nor do I.

Mr. HYDE. Does the gentleman not have an answer to my question?

Mr. HOYER. I do.

Mr. HYDE. Well, let us hear it, I am running out of time.

Mr. HOYER. It enunciates the policy of 43 States, I tell my friend from Illinois, and I think we should enunciate it as a Federal Congress as being the appropriate and right policy to preclude late-term abortions.

Mr. HYDE. I welcome the gentleman to the ranks of pro-lifers.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Speaker, I want to talk about Mike and Nancy Johnson from Muscogee, OK. I have delivered five babies for them. One of their babies had a tremendous anencephalic complicated cystic structure on its brain. Now, this procedure that is supposedly so important that it has to be there for the life and health of a woman could have been used on her. But I want to tell my colleagues what they chose to do. They chose to deliver that baby. And in the delivery room, as that baby was born, I placed it in the hands of the father, and over the next 2 hours that baby was comforted in its death.

I want to contrast that with the idea of a child dying in its father's arms, with the idea of a physician ramming a hole in the back of a skull and sucking the brains out of a child. Tell me, my colleagues, which way is the right way to do it?

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. CALVERT). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Pursuant to clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 280, nays 144, not voting 9, as follows:

[Roll No. 499]

YEAS—280

Aderholt	Bartlett	Boehert
Archer	Barton	Boehner
Armey	Bass	Bonilla
Bachus	Bateman	Bonior
Baesler	Bereuter	Bono
Baker	Berry	Borski
Ballenger	Bilbray	Boswell
Barcia	Billrakis	Brady
Barr	Bliley	Bryant
Barrett (NE)	Blunt	Bunning

Burr	Hobson	Pitts
Burton	Hoekstra	Pombo
Buyer	Holden	Pomeroy
Callahan	Hostettler	Porter
Calvert	Houghton	Portman
Camp	Hulshof	Poshard
Campbell	Hunter	Pryce (OH)
Canady	Hutchinson	Quinn
Cannon	Hyde	Radanovich
Castle	Inglis	Rahall
Chabot	Istook	Ramstad
Chambliss	Jefferson	Redmond
Chenoweth	Jenkins	Regula
Christensen	John	Reyes
Clement	Johnson (CT)	Riggs
Coble	Johnson, Sam	Riley
Coburn	Jones	Roemer
Collins	Kanjorski	Rogan
Combest	Kaptur	Rogers
Condit	Kasich	Rohrabacher
Cook	Kelly	Ros-Lehtinen
Cooksey	Kildee	Roukema
Costello	Kim	Royce
Cox	King (NY)	Ryun
Cramer	Kingston	Salmon
Crane	Klecza	Sandlin
Crapo	Klink	Sanford
Cubin	Klug	Saxton
Cunningham	Knollenberg	Scarborough
Danner	Kucinich	Schaefer, Dan
Davis (FL)	LaFalce	Schaffer, Bob
Davis (VA)	LaHood	Sensenbrenner
Deal	Lampson	Sessions
DeLay	Largent	Shadegg
Diaz-Balart	Latham	Shaw
Dickey	LaTourette	Shimkus
Dingell	Lazio	Shuster
Doolittle	Leach	Siskis
Doyle	Lewis (CA)	Skeen
Dreier	Linder	Skelton
Duncan	Lipinski	Smith (MI)
Dunn	Livingston	Smith (NJ)
Ehlers	LoBiondo	Smith (OR)
Ehrlich	Lucas	Smith (TX)
Emerson	Manton	Smith, Linda
English	Manzullo	Snowbarger
Ensign	Mascara	Solomon
Etheridge	McCollum	Souder
Everett	McCrery	Spence
Ewing	McDade	Spratt
Flake	McHugh	Stearns
Foley	McInnis	Stenholm
Forbes	McIntosh	Strickland
Fowler	McIntyre	Stump
Fox	McKeon	Stupak
Franks (NJ)	McNulty	Sununu
Frelinghuysen	Metcalfe	Talent
Galleghy	Mica	Tanner
Ganske	Miller (FL)	Tauzin
Gekas	Minge	Taylor (MS)
Gibbons	Mollohan	Taylor (NC)
Gilchrest	Moran (KS)	Thomas
Gillmor	Murtha	Thornberry
Goode	Myrick	Thune
Goodlatte	Neumann	Tiahrt
Goodling	Ney	Traficant
Gordon	Northup	Turner
Goss	Norwood	Upton
Graham	Nussle	Walsh
Granger	Oberstar	Wamp
Gutknecht	Ortiz	Watkins
Hall (OH)	Oxley	Watts (OK)
Hall (TX)	Packard	Weldon (FL)
Hamilton	Pappas	Weldon (PA)
Hansen	Parker	Weller
Hastert	Pascarella	Weygand
Hastings (WA)	Paul	White
Hayworth	Paxon	Whitfield
Hefley	Pease	Wicker
Hefner	Peterson (MN)	Wolf
Herger	Peterson (PA)	Young (AK)
Hill	Petri	Young (FL)
Hilleary	Pickering	
	Pickett	

NAYS—144

Bishop	Cardin
Blagojevich	Carson
Blumenauer	Clay
Boucher	Clayton
Boyd	Clyburn
Brown (CA)	Conyers
Brown (FL)	Coyne
Brown (OH)	Cummings
Capps	Davis (IL)

DeFazio	Kennedy (RI)	Price (NC)
DeGette	Kennelly	Rangel
Delahunt	Kilpatrick	Rivers
DeLauro	Kind (WI)	Rodriguez
Dellums	Kolbe	Rothman
Deutsch	Lantos	Roybal-Allard
Dicks	Levin	Rush
Dixon	Lewis (GA)	Sabo
Doggett	Lofgren	Sanchez
Fazio	Lowey	Sanders
Edwards	Luther	Sawyer
Engel	Maloney (CT)	Schumer
Eshoo	Maloney (NY)	Scott
Evans	Markey	Serrano
Farr	Martinez	Shays
Fattah	Matsui	Sherman
Fazio	McCarthy (MO)	Skaggs
Filner	McCarthy (NY)	Slaughter
Ford	McDermott	Smith, Adam
Frank (MA)	McGovern	Snyder
Frost	McHale	Stabenow
Furse	McKinney	Stark
Gedjenson	Meehan	Stokes
Gilman	Meek	Tauscher
Green	Menendez	Thompson
Greenwood	Millender	Thurman
Gutierrez	McDonald	Tierney
Harman	Miller (CA)	Torres
Hastings (FL)	Mink	Towns
Hinchee	Moakley	Velázquez
Hinojosa	Moran (VA)	Vento
Hooley	Morella	Waters
Horn	Nadler	Watt (NC)
Hoyer	Neal	Waxman
Jackson (IL)	Obey	Wexler
Jackson-Lee	Oliver	Woolsey
(TX)	Owens	Wynn
Johnson (WI)	Pallone	Yates
Johnson, E. B.	Pastor	
Kennedy (MA)	Pelosi	

NOT VOTING—9

Foglietta	Hilliard	Payne
Gephardt	Lewis (KY)	Schiff
Gonzalez	Nethercutt	Visclosky

□ 1209

Messrs. KIND, SHAYS, SERRANO, HORN, GILMAN, and NEAL of Massachusetts changed their vote from "yea" to "nay."

Ms. KAPTUR and Mr. TURNER changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. VISCLOSKY. Mr. Speaker, I was unavoidably detained and unable to vote on rollcall vote Nos. 497 through 499. Had I been present, I would have voted "no" on roll call No. 497, passage of H.R. 629, to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact; "yes" on rollcall No. 498, the Vento amendment to H.R. 901, to exempt sites nominated under the Convention on Wetlands of International Importance from the provisions of the bill; and "yes" on rollcall No. 499, ordering the previous question on H. Res. 262, the rule governing House consideration of the Senate amendments to the Partial Birth Abortion Ban Act.

The SPEAKER pro tempore (Mr. CALVERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1215

Mr. CANADY of Florida. Mr. Speaker, pursuant to House Resolution 262, I call up the bill (H.R. 1122), to amend

title 18, United States Code, to ban partial-birth abortions, with Senate amendments thereto, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Page 2, line 16, strike out all after "injury" down to and including "purpose" in line 17.

Page 3, after line 10 insert:

(3) As used in this section, the term "vaginally delivers a living fetus before killing the fetus" means deliberately and intentionally delivers into the vagina a living fetus, or a substantial portion thereof, for the purpose of performing a procedure the physician knows will kill the fetus, and kills the fetus.

Page 3, after line 23, insert:

(d)(1) A defendant accused of an offense under this section may seek a hearing before the State Medical Board on whether the physician's conduct was necessary to save the life of the mother whose life was endangered by a physical disorder, illness or injury.

(2) The findings on that issue are admissible on that issue at the trial of the defendant. Upon a motion of the defendant, the court shall delay the beginning of the trial for not more than 30 days to permit such a hearing to take place.

Page 3, line 24, strike out "(d)" and insert "(e)".

MOTION OFFERED BY MR. CANADY OF FLORIDA

Mr. CANADY of Florida. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. CANADY of Florida moves that the House concur in each of the Senate amendments to the bill H.R. 1122.

The SPEAKER pro tempore. Pursuant to House Resolution 262, the gentleman from Florida [Mr. CANADY] and the gentlewoman from New York [Mrs. LOWEY], each will control 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. CANADY].

GENERAL LEAVE

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the legislation under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CANADY of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise to urge the House to vote for the motion to concur in the Senate amendments to H.R. 1122, the Partial-Birth Abortion Ban Act of 1997, a bill which bans an abortion procedure in which a living baby is partially delivered before the abortionist kills the baby and completes the delivery.

Under H.R. 1122, an abortionist who violates the ban would be subjected to fines or a maximum of 2 years imprisonment or both. The bill also establishes a civil cause of action for dam-

ages against an abortionist who violates the ban.

Mr. Speaker, thousands of partial-birth abortions are performed each year, primarily in the fifth and sixth months of pregnancy, on the healthy babies of healthy mothers. The infants subjected to partial-birth abortion are not unborn. Their lives instead are taken during a breech delivery.

A breech delivery, a procedure which obstetricians use in some circumstances to bring a healthy child into the world, is perverted and made into an instrument of death. The physician, traditionally trained to do everything in his power to assist and protect both mother and child during the birth process, deliberately kills the child in the birth canal.

H.R. 1122 would end this cruel practice which bears an undeniable resemblance to infanticide.

The Senate amendment to H.R. 1122 makes three acceptable changes to the House-passed version of the bill. The first amendment deletes superfluous language in the life exception included in the act. The bill still bans partial-birth abortion unless it is necessary to save the life of the mother.

The second amendment clarifies the definition of partial-birth abortion. H.R. 1122 defines "partial-birth abortion" as "an abortion in which the person performing the abortion partially vaginally delivers a living fetus before killing the fetus and completing the delivery." The Senate amendment further clarifies that "partially vaginally delivers a living fetus before killing the fetus" means "deliberately and intentionally delivers into the vagina a living fetus, or substantial portion thereof, for the purpose of performing a procedure the physician knows will kill the fetus, and kills the fetus."

The third Senate amendment allows the physician who is prosecuted for performing a partial-birth abortion to present evidence in court from the State medical licensing authority on whether the partial-birth abortion was necessary to save the life of the mother.

The Senate voted to approve these three clarifying amendments to H.R. 1122 and passed the Partial-Birth Abortion Ban Act in May of this year. Shortly thereafter, the American Medical Association House of Delegates voted to support H.R. 1122 with the Senate amendments because partial-birth abortion, quote, "is not good medicine."

As we have discussed in prior debates in this House, the realities of partial-birth abortion are truly horrible to contemplate, they are truly horrible to discuss. The partial-birth abortion procedure is performed from around 20 weeks to full term. It is well documented that a baby is highly sensitive to pain stimuli during this period and even earlier.

In his testimony before the Subcommittee on the Constitution in 1995, Prof. Robert White, director of the division of neurosurgery and brain research laboratory at Case Western Reserve School of Medicine, stated, "The fetus within this time frame of gestation, 20 weeks and beyond, is fully capable of experiencing pain." After analyzing the partial-birth abortion procedure, Dr. White concluded, "Without question, all of this is a dreadfully painful experience for any infant subjected to such a surgical procedure."

Abortion advocates have claimed that partial-birth abortion is rare and only used in extreme circumstances. That has been a focus of the debate that has been waged against the ban on partial-birth abortion. But this claim is contradicted by the evidence.

Dr. Martin Haskell, an Ohio abortionist, told the American Medical News that the vast majority of the partial-birth abortions he performs are elective. He stated, and I quote, "And I'll be quite frank: Most of my abortions are elective in that 20-24 week range. In my particular case, probably 20 percent are for genetic reasons. And the other 80 percent are purely elective."

Another abortionist, Dr. McMahon of California, used the partial-birth abortion method through the entire 40 weeks of pregnancy. He sent the Subcommittee on the Constitution a graph which showed the percentage of "flawed fetuses" that he aborted using the partial-birth abortion method. The graph shows that even at 26 weeks, half the babies that Dr. McMahon aborted were perfectly healthy, and many of the babies he described as "flawed" had conditions that were compatible with long life, either with or without a disability. For example, Dr. McMahon listed nine partial-birth abortions performed because the baby had a cleft lip.

In September 1996, the Sunday Record, a newspaper in Bergen, N.J., reported that in New Jersey alone, at least 1,500 partial-birth abortions are performed each year, 3 times the supposed national rate. Moreover, doctors say only a minuscule amount are for medical reasons.

The article quotes an abortionist in New Jersey who describes his partial-birth abortion patients as follows: "Most are Medicaid patients, and most are for elective, not medical reasons: people who didn't realize, or didn't care, how far along they were. Most are teenagers."

Ron Fitzsimmons, the executive director of the second largest trade association of abortion providers in the country, admitted that he intentionally lied through his teeth when he told a Nightline camera that partial-birth abortion is rare and performed only in extreme medical circumstances.

The New York Times reported that Mr. Fitzsimmons "says the procedure

is performed far more often than his colleagues," that is, other advocates in the abortion rights community, "have acknowledged, and on healthy women bearing healthy fetuses." "The abortion rights folks know it," he said.

Ron Fitzsimmons' admission makes clear that the pro-abortion lobby has engaged in a concerted and ongoing effort to deceive the Congress and the American people about partial-birth abortion. They attempted to hide the truth, they attempted to conceal the facts about this procedure because they knew that the American people would be outraged by the facts.

When President Clinton vetoed H.R. 1833, the Partial-Birth Abortion Ban Act of 1995, he claimed that women needed partial-birth abortion for their health and future fertility. That claim has been proven to be completely false.

Former Surgeon General C. Everett Koop has said, "In no way can I twist my mind to see that the late-term abortion as described, you know, partial birth, and then destruction of the unborn child before the head is born, is a medical necessity for the mother. It certainly can't be a necessity for the baby. So I am opposed to partial-birth abortion."

In addition, a group of over 400 obstetricians and gynecologists and maternal-fetal specialists have unequivocally stated, and I quote, "Partial-birth abortion is never medically indicated to protect a woman's health or her fertility. In fact, the opposite is true: The procedure can pose a significant and immediate threat to both the pregnant woman's health and her fertility."

The American Medical Association agrees with these doctors that partial-birth abortion is not good medicine and supports banning the procedure. I point out the American Medical Association is on record in strong support of abortion rights, but even they recognize that this procedure simply falls outside the pale.

However, the President has remained unmoved by these facts. He still threatens to veto this bill. He has tried to change the subject by supporting a purported ban on abortion in the seventh month of pregnancy and later. Of course, unfortunately, the President's supposed ban includes a broad health exception that would give the abortionist unfettered discretion to decide when an abortion would be performed.

The proposal would allow the abortionist to perform postviability abortions using any method, including partial-birth abortion, if the abortionist certified in his or her best medical judgment that the continuation of the pregnancy would threaten the mother's life or risk grievous injury to her physical health. Of course, the continuation of any pregnancy does involve at least some degree of risk, however small.

Dr. Warren Hern, a third-trimester abortionist in Colorado, says of this

proposal, "I will certify that any pregnancy is a threat to a woman's life and could cause grievous injury to her physical health." Dr. Hern, using his best medical judgment, believes that any pregnancy threatens a mother's life and risks grievous injury to her physical health. He has said it unequivocally.

Dr. Hern is one of the leading experts on abortion in this country. He has written a textbook on the subject. He is a recognized authority. Now, if Dr. Hern signed a paper that asserted this belief, he would satisfy the certification exception in the President's proposal.

Mr. Speaker, all of this demonstrates beyond any doubt that the President's proposal would not do anything to stop any abortion. Furthermore, the President's proposal, which covers only postviability abortions, does not even purport to affect the vast majority of partial-birth abortions which take place in the fifth and sixth months of pregnancy, not in the third trimester.

To sum it all up, the President's proposal is a sham. Mr. Speaker, the President knows that partial-birth abortions are primarily performed before the seventh month of pregnancy, in the fifth and sixth months, on thousands of healthy babies of healthy mothers. His purported ban would not protect one of these babies. We will not allow the President to change the subject from the disturbing facts of partial-birth abortion, as he has attempted to do. The President is supporting an indefensible procedure that should not be allowed in a civilized society.

I would ask my colleagues to look at partial-birth abortion. We have described this procedure in this House before, but I ask my colleagues to consider again what is involved when an abortionist performs the procedure known as partial-birth abortion.

In the first step of this horrible procedure, the abortionist, guided by ultrasound, grabs the live baby's leg with forceps. In the next step, the baby's leg is pulled into the birth canal. The abortionist then delivers the baby's entire body, except for the head.

□ 1230

Of course, if the head came out, none of the rest of this could happen. If the head came out and the abortionist took any action against that child, that would undoubtedly be considered murder under our law. Then, after the baby is delivered, except for the head, the abortionist jabs scissors into the baby's skull. The scissors are then opened to enlarge the hole.

I ask my colleagues to look at this critical stage of this horrible procedure. This is what is going on when a partial-birth abortion is performed. Then, in the final stage of partial-birth

abortion, the scissors are removed and a suction catheter is inserted into the hole which has been created by the abortionist in the baby's head, and the baby's brains are sucked out and the delivery is completed.

I ask the Members, how could jamming those scissors into the skull of the baby, into the back of the baby's head, be possibly required for the health of the mother? It simply makes no sense. The claims made by the President and other supporters of partial-birth abortion about the mother's health belong with all the other falsehoods that have been a part of the campaign against this bill, and are advanced by people who are desperate to escape from reality in their quest to defend the indefensible. They cannot defend this, therefore they are attempting to create a cloud of confusion and deceive the American people.

In this House we deal with many issues. We have hundreds of votes here. The issues come and go. Most of the votes we will cast here will soon be forgotten. Even those that seem rather important to us at the moment will fade away. They will become a distant memory. But I believe that today's vote on partial-birth abortion will be remembered. The Members of this House will not be able to escape responsibility for the votes they cast on this important issue. History will also remember the President, whose veto had to be overridden in order to protect helpless infants from this gruesome procedure.

I appeal to my colleagues, put aside all the myths that have been generated in this debate in opposition to this bill, put aside all the distortions, put aside all the misinformation that has been disseminated. Look at the facts, consider the truth, and face up to the reality of partial-birth abortion. This is it. This procedure cannot be defended.

I would ask that my colleagues support the Senate amendments to the Partial-Birth Abortion Ban Act, and help bring this cruel, this brutal practice to an end in America.

Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to the bill. This is the fifth time that the House will vote on this issue. Unfortunately, it will not be the last. As my colleagues know very well, the President will veto this legislation because it does not contain an exception to ensure the health of American women, so we will be back here again next year.

We have repeatedly tried to offer an amendment to protect the health of the mother to this bill on the floor of this House, and the Republican leadership has consistently blocked us. We offered to sit down and work with the Republican leadership to craft a health

exception that we could all accept. The Republican leadership refused. The President will sign this legislation if it contains an exception that would protect the health of the mother, but the Republican leadership will not even give us a chance to put one in this legislation.

The Republican leadership does not want to ban this procedure. Unfortunately, it wants a political issue. Republicans would rather debate this again and again and again, rather than send the President a bill that he can sign into law.

Mr. Speaker, do not take my word for it. Let us listen to the words of Ralph Reed. On May 21 he told the New York Times that this was, and I quote, "A winning, gold-plated issue going into the 1996 election." No pious words about the defenseless unborn, no hand-wringing over moral decay, just a winning gold-plated issue. This, Mr. Speaker, sadly, is pure politics, plain and simple.

Mr. Speaker, we will hear a great deal today about the AMA and its endorsement of this bill. We will hear that changes made to the bill in the Senate have improved it. Nonsense. The Senate amendments are window dressing that provide cover to doctors while leaving women, frankly, out in the cold. The AMA struck a very cynical bargain with the Republican leadership to endorse this bill.

Thankfully, Mr. Speaker, the AMA is not the final word on this issue. The American College of Obstetricians and Gynecologists, ACOG, the health professionals who actually deliver babies and care for women, oppose this legislation. The American College of Obstetricians and Gynecologists oppose this legislation. Let us not forget, Mr. Speaker, that the AMA represents the doctors, not the women.

So while the changes made to this bill in the Senate may make it marginally more difficult to throw doctors in jail when they are making these very difficult decisions, they will do nothing, absolutely nothing, to save the lives or preserve the health of women.

So we are left with the same bill that we have voted on four times before, the same bill that puts the lives and health of women at risk, the same bill that violates the Constitution of the United States of America and tramples on the rights of American women. Women from around the Nation testified before Congress that this procedure protected their lives and their health, women like Tammy Watts, Claudia Addes, Maureen Britel, women who would have been harmed by this bill.

These women, Mr. Speaker, desperately wanted to have children. They had purchased baby clothes. They had picked out names. They did not abort because of a headache. What an insult, Mr. Speaker. They did not choose to abort because their prom dress did not

fit. They chose to become mothers, and only terminated their pregnancies because of tragic circumstances.

Mr. Speaker, who in this body will stand in judgment of them? Which of the Members will stand in the operating room and limit their options? Who, at the agonizing moment, will decide? That is the question? Who is going to make this decision, the Congress of the United States, or the women and families of America?

The courts have been very clear on this question, and have consistently found bills of this type to be unconstitutional. Lawsuits have been filed in 10 States challenging State statutes similar to the bill before us. In 10 States courts have ruled that the laws were unconstitutional, struck them down, limited their scope, or enjoined them.

Mr. Speaker, when the House debated this issue in March, the distinguished gentleman from Florida [Mr. CANADY] assured us that this bill was constitutional and consistent with Roe. Since then this ban has been struck down, changed, or enjoined on constitutional grounds in 10 States, 10 States. States have moved ahead, passed these bans, and they have been struck down again and again. The courts have clearly spoken. This bill violates a woman's constitutionally protected right to choose.

Unfortunately, we know that the antichoice majority will not let a little thing like the Constitution of the United States of America stand in the way of their abortion ban. Mr. Speaker, the anti-choice Republican leadership has been waging war on the reproductive rights of American women since taking over this House in 1994.

In the last Congress alone, the leadership voted to limit abortion rights more than 50 separate times, a new record. It is clear that this leadership wants to ban every abortion, that is the ultimate goal, procedure by procedure, trimester by trimester. They want to rollback Roe versus Wade and push American women back into the back alley.

Mr. Speaker, we have a different vision. We will continue to fight to ensure that women are able to obtain safe, legal abortions, and we will work as hard as we can to reduce the number of abortions by providing women with greater access to family planning and contraceptives. We will work to empower women to make responsible choices about their own bodies.

Unfortunately, Mr. Speaker, the Republicans have chosen to make our bodies their battleground, and they will not succeed.

Mr. Speaker, I am pleased to yield 3½ minutes to my colleague, the gentleman from Virginia [Mr. SCOTT], the distinguished ranking member of the Subcommittee on the Constitution.

Mr. SCOTT. Mr. Speaker, I think it is important that we focus on what this bill does. It prohibits one procedure.

Nothing in the bill affects the decision to have any abortion. If this bill passes, women who decide to have a legal abortion will still be able to get that abortion. Some will just have to be subjected to other procedures that their doctors conclude will be more likely to kill, maim, or sterilize them.

We have heard, and I assume we will hear more, graphic descriptions of this procedure, but the fact is that other alternatives which will be used have not been described graphically today, and probably will not be. So the point of this bill is not to reduce the number of abortions. In fact, the point of today's vote will not even be to enact a bill, because this version is clearly unconstitutional, so much so that similar laws in the States have been thrown out at least nine times this year alone.

Mr. Speaker, though abortion has always been a controversial issue, the fact is that since 1973 the Supreme Court decision Roe versus Wade decreed that abortion will be legal in this country. Roe, which is still the law of the land, held that a woman's right to have an abortion before fetal viability is a fundamental right.

The State may, however, prohibit post-viability abortions, but only if there is no substantial threat to the life or health of the mother. In Planned Parenthood versus Casey, 1992, the court reaffirmed this holding. Mr. Speaker, other Supreme Court decisions have added to this concept by prohibiting regulations that jeopardize a woman's health by chilling the physician's exercise of discretion in determining which abortion method may be used.

So interference with a physician's exercise of discretion jeopardizes the woman's health, and is therefore as dangerous as it is unconstitutional. Although the health of the mother must remain a primary interest in order to pass constitutional muster, today's bill includes no provision which allows an exception from the ban in those cases where the other methods pose serious health risks to the mother. The Partial-Birth Abortion Ban Act will not prevent a single abortion. It simply prevents one procedure which, in certain circumstances, is the safest procedure available.

Mr. Speaker, many of us support a total prohibition on post-viability abortions as long as it is consistent with Roe versus Wade, by protecting the health of the mother. But this bill only prohibits one procedure, not the decision to undergo the abortion. Therefore, if this bill passes, the only effect, as I have said, will be that some people will have to undergo a more dangerous procedure which will increase their chances of them being killed, maimed, or sterilized.

□ 1245

I hope that my colleagues will work to prevent this result.

This debate should not be about politics, it should be about the woman who may need this procedure to protect her health and reproductive ability but may not have access to it because Congress decided that it should play doctor and politics. Let us put women's health first and defeat the bill.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I rise in strong support of this partial-birth abortion ban.

Mr. Speaker, this has little to do with Roe versus Wade, little to do with politics, little to do with the majority versus the minority, and everything to do with banning a procedure that is, in effect, legalized infanticide. Let there be no doubt about what we are trying to do in this Chamber today.

Mr. Speaker, 295 of my colleagues, Democrats and Republicans, and men and women, some pro-choice and pro-life, have come together not to get into the rhetoric and the hyperbole but to try to do something to cut down on the number of abortions that take place in this country.

Mr. Speaker, the AMA has now endorsed this bill that I strongly support. Former Surgeon General C. Everett Koop, who has taken on big tobacco and fought for little children, has said this about partial-birth abortion: "Partial-birth abortion is never medically necessary to protect a mother's health or her future fertility. On the contrary, this procedure can pose a significant threat to both."

Mr. Speaker, I think that states pretty much the case, and 64 Republicans and Democrats out of 100 in the Senate have agreed. We need to talk, Mr. Speaker, about ways to eliminate the large number of abortions in this country, to reduce the number of abortions in this country. We need to do it by passing this bill. We need to do it by talking about funding birth control methods.

Mr. Speaker, we have heard that we have voted already four times on this act. We should vote 40 times or 400 times to pass what is morally, ethically, and, I think, soundly politically the right thing to do. Let us pass this bill today and put it on the President's desk.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Ms. DEGETTE].

Ms. DEGETTE. Mr. Speaker, last spring a woman came to my office with her infant son whom she loved, and you could tell the love was obvious. Tragically for this woman, this was not the first pregnancy she had had. She had lost a previous baby months along in the cycle through no fault of her own, and she had used this procedure after consulting with her husband, her family, and her doctor.

Mr. Speaker, not very many women are forced to use this procedure. In

1992, the most recent year for which we have statistics, only 0.4 percent of all abortions take place after 26 weeks when this procedure becomes necessary. Like the women in my office, like the women that my colleagues have talked about today, every single one of these women who are facing these late-term procedures are facing threats to their life or threats to their health or they are carrying a fetus with severe abnormalities that will not survive. That is why the American College of Obstetricians and Gynecologists opposes this legislation even now, and that is why this piece of legislation is unconstitutional and should not be passed.

Mr. Speaker, the terms are so vague that like the 10 States that have struck down the State legislation, this legislation will not be held constitutional and should not be passed.

Mr. Speaker, I have a question as a new Member of Congress. Why are we voting on this piece of legislation again and again and again and again and again? It is all we have talked about in my first 10 months of Congress.

Mr. Speaker, the reason is clear. In the 1998 elections, the Republicans think they can saddle people with this. The women of America are not going to accept it. The women of America need to make this decision in consultation with their families and their doctors. Let us move beyond this to rational family planning so we can avoid unwanted pregnancies.

Mr. CANADY of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Speaker, I rise in strong support of H.R. 1122, the partial-birth abortion ban. I have spoken out repeatedly in support of this ban, and I will continue to do so however long it takes to get the necessary two-thirds majority in both the House and the Senate so that we can override the President's veto.

It was in 1993 when I was still practicing medicine when I first read about this procedure. It was published in the American Medical News. I had seen all of my patients for the day, I was sitting down at my desk, and, frankly, I was shocked and amazed that in a country that is supposed to be founded on the principle that we are endowed by our Creator with the right to life, that a procedure this barbaric would be legal and, furthermore, that some people who purport to be legal scholars would argue that it is somehow protected in our Constitution. It is nowhere mentioned anywhere in our Constitution.

I want to address two very important issues; No. 1, these so-called tragic circumstances. In that original article that appeared in the AMA News, the originators of this procedure admitted that 85 percent of the time it was on

perfectly healthy fetuses and in the other 15 percent, the majority of them were cleft lip and cleft palate.

How many millions of Americans in this country who have a loved one with cleft lip or cleft palate would like to know that this kind of barbaric procedure could be done on a baby for a deformity as simple as that? It is absolutely tragic to me to think that somebody would make that kind of an argument.

Mr. Speaker, I am not finished. I also want to discuss this other so-called health exception. They had a health exception in California prior to Roe versus Wade, and they did thousands and thousands of abortions every year because we all know, I am a doctor, any doctor can say it is needed for health. That is a loophole you can drive a truck through.

This procedure is barbaric. I encourage all of my colleagues to vote in support of the bill.

Mrs. LOWEY. Mr. Speaker, I yield 10 seconds to the distinguished gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I would say to the doctor, he is also a Congressman and there is a constitutional basis for this measure that we have. Look at the fifth amendment, then read the U.S. Supreme Court decision.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE], a member of the committee.

Ms. JACKSON-LEE of Texas. Mr. Speaker, there are physicians and people of many walks of life in this House, but though we come with different experiences, we do not stand for the thousands upon thousands of physicians across the Nation who deal with patients, in this instance women, women who are expecting and looking forward to the blessed day. As we debate this issue, none of us can stand in their shoes.

I am saddened that we now come for the fourth time to deny the opportunity for a mother who wants to bear children again to be protected and to have her health protected in a private and personal and religious and family decision.

Take the story of Eileen Sullivan, someone who brought tears to my eyes as she testified before the House Committee on the Judiciary. I ask you to stand in her shoes. Eileen Sullivan from Los Angeles, a Catholic with 10 brothers and sisters, Eileen had long awaited her first child. She and her husband were devastated at 26 weeks of pregnancy that testing revealed overwhelming fetal abnormalities in their son, including an improperly formed brain, a malformed heart, no lungs, and nonfunctioning liver.

Mr. Speaker, did she rush to have an abortion? No, she did not. She took test after test after test. And I imagine, as a devout Catholic, she prayed

and prayed and prayed, and yet the prognosis was: "Eileen, if you and your husband want a healthy child, we must terminate this pregnancy." In the law of the land, she had the right to choose. She did not voluntarily do so.

So Eileen had a procedure, a medical procedure for which, under this bill, the physician would be held liable and accountable, upon which the family decision, the prayer that was made that helped them to decide this.

Mr. Speaker, I simply say this is a bad piece of legislation. It is difficult to decide, but I would ask that my colleagues vote on behalf of Eileen. Vote against this legislation and give life.

Mr. Speaker, I rise today in opposition to H.R. 1122. The issue raised by this legislation is a very difficult and emotional issue for all of us here in this body. It is one that I, and I am sure many of my colleagues, have given a great deal of consideration. There is no question, however, but that I must oppose this legislation.

H.R. 1122 raises many concerns, but two in particular are worthy of discussion. First, as currently written this legislation is unconstitutional. Second, the legislation makes no provision for the protection of a mother's health.

Last May, the Senate passed H.R. 1122, the Late-Term Abortion Ban Act only making three minor amendments to the House-passed version. We are asked today to agree to these amendments. The Senate amendments are purely cosmetic, however, and do nothing to answer my concerns. While these amendments provide the physician additional protections, they do nothing to extend protection to the health and well-being of American women and their families. As currently written, H.R. 1122 provides no exception to protect a woman's health and makes no distinction between abortions before and after fetal viability.

As a Member of Congress, I have, sworn to uphold the U.S. Constitution. H.R. 1122 is unconstitutional and we, in Congress, should not attempt to undercut the law of the land as set forth by the U.S. Supreme Court in *Roe versus Wade*.

In *Roe versus Wade*, the Supreme Court held that women had a privacy interest in electing to have an abortion. This right is qualified, however, and so must be balanced against the State's interest in protecting prenatal life. The Court determined that post-viability the State has a compelling interest in protecting prenatal life and may ban abortion, except when necessary to preserve the woman's life or health. In line with this decision, 41 States have already passed bans on late term abortions, except where the life or health of the mother is involved.

In *Planned Parenthood versus Casey*, the Court held that the States may not limit a woman's right to an abortion prior to viability when it places an undue burden on that right. An undue burden is one that has "the purpose or effect of placing a substantial obstacle in the path of a woman seeking an abortion of a nonviable fetus."

H.R. 1122 in its current form interferes with a woman's access to the abortion procedure that her doctor has determined to be safest for her, and so unduly burdens her right to

choose. It is therefore inconsistent with the principles outlined in *Roe* and *Casey*, which have been reaffirmed by every subsequent Supreme Court on this issue, and so is unconstitutional.

Partial birth abortions are performed because a physician, with the benefit of his expertise and experience, determines that, given a woman's particular circumstances, this procedure is the safest available to her; that this is the procedure most likely to preserve her health and her future fertility. Only a doctor can make this determination. We, in Congress, should not interfere with the close relationship that exists between a doctor and his or her patient.

It is a tragic fact that sometimes a mother's health is threatened by the abnormalities of the fetus that she is carrying. She is faced with a terrible decision whether to carry a fetus suffering from fatal anomalies to term and in so doing jeopardize her own health and future fertility or whether to abort the fetus and preserve her chances of bringing a later healthy life into the world.

When a woman is faced with this type of painful circumstance, it is one that she should face free from Government interference. This is too intimate, too personal, and too fragile a decision to be a choice made by the Government. We should protect the sanctity of the woman's right to privacy and of the home by letting this choice remain in her hands. Families and their physicians, not politicians, should make these difficult decisions. It is a decision that should be between a woman, her spiritual leader and her god.

Proponents of the partial birth abortion ban maintain that this procedure is never the only option to save the life or preserve the health of a woman. ACOG, The American College of Obstetricians and Gynecologists stated that while this procedure may not be the only option to save a woman's life and health, it may be the best option.

I am reminded of the story of King Solomon. In that story Solomon is faced with deciding between two women who claim that a certain child is their own. The power and authority to determine to whom the child belongs rests with King Solomon, but he gave the mothers the power to choose the child's fate and from this decision the life of the child was saved.

Many of my colleagues have worked hard to amend the ban so that it would provide an exception to protect the mother when the continuation of the pregnancy would put her physical health at risk. This was rejected. Without such a provision, I am unable to support this ban. For these reasons I urge my colleagues to join me in opposing H.R. 1122.

Mr. CANADY of Florida. Mr. Speaker, I yield 2½ minutes to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Speaker, "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

Mr. Speaker, we have heard a whole lot about the American College of Sur-

geons and the American College of Obstetricians and Gynecologists. That is the same organization that refused to suggest that women who are pregnant get an HIV test, knowing that in fact it could prevent HIV infection from the baby, the same organization that ruled we should do that after this Congress stood up and morally said they should do it. So, they do not lead on what is right and wrong. They follow. They have already proven that they follow.

We have a choice. The child just described by the gentlewoman from Texas [Ms. JACKSON-LEE], there was a choice there. There was a choice that the doctor could end a life early through a very gruesome and horrible procedure, or there was a choice that a baby could have been delivered and died in its mother's and father's arms. We do have choices. There is no question about it.

Mr. Speaker, who is looking out for the infant girls that consume 85 percent of the elective abortions used on this procedure?

The thing that saddens me most about this debate, and I am tired of the debate as well, is we will not be truthful about what we are talking about. The truth is that this is never needed. The truth is that we have a lot of people who believe, and are respected in their belief, that women ought to be able to abort any baby any time for any reason.

The unfortunate thing is that there is not the integrity in this House, or the honesty, to stand up and say that is what I believe. So, therefore, we use disinformation, deceit, and untruth to cover what the real facts of the issues are.

So, Mr. Speaker, when, in fact, Members decide on whether or not we ought to be involved in banning a procedure that the vast majority of physicians in this country know is not needed to accomplish the purpose, they should ask themselves whether we are leaders or we are followers.

I do stand in the shoes every weekend and defend women and their rights and care for them and their problem pregnancies. I do know what I am talking about. It is a moral, ethical issue. It has nothing to do with the practice of medicine.

Mrs. LOWEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts [Mr. FRANK], a distinguished member of the committee.

Mr. FRANK of Massachusetts. Mr. Speaker, the gentleman from Indiana [Mr. ROEMER] said he is for this bill because he wants to reduce the number of abortions. This bill, of course, does not by any means reduce the number of abortions. It does say doctors cannot do one procedure versus another. This deals with one procedure. It does not purport even to ban abortion under any circumstances but simply says, do not use this procedure.

Now, when we ban one procedure and allow the others, we make this one mistake. On this bill, the majority has consistently refused to accept an amendment which says this procedure can be used if the doctor believes it is necessary to avoid grievous physical harm to the mother.

So I ask my colleagues to understand, this is a bill which says that even if there will be grievous physical harm in the opinion of the doctor, he has to use a different procedure.

Mr. Speaker, I am told the chairman of the committee, who is here, has said: Well, but we cannot just restrict it. Once we say "health," the Court will automatically say "mental health." That is simply, wholly untrue.

Mr. Speaker, when the Court interpreted health to mean mental health, they were not talking about a statute which specifically modified health with the word "physical." The Court has held that there is a general constitutional right of the health of the mother to be taken into account, and they have defined that as mental or physical.

□ 1300

If that governs, the whole bill is out. Understand, if that interpretation governs, then all health, all abortions are out. We are apparently believing here, the majority, that we cannot ban this particular procedure and make an exception. What we are saying is, OK, we will make an exception to the exception and if grievous physical harm will come, then it will be allowed. No, there is no argument that the court would not recognize that. The court has defined health when it was unmodified. There is not a single decision that suggests that the court will look at the words "grievous physical health consequences" and interpret those away. So either we must believe that the court will impose health, including mental health, across the board, or we must recognize the validity of this.

Without the amendments we have offered, by refusing to let us offer an amendment, the majority says not simply that we will ban the procedure but we will ban it even to avoid, if it is necessary, to avoid grievous physical health consequences. That is what this is about, whether or not grievous physical health consequences should be allowed into the bill.

Mr. CANADY of Florida. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, make no mistake about it, abortion is violence against children. The partial-birth method is an extraordinarily heinous manifestation of this violence. Today those who kill babies by jamming scissors in a baby's skull followed by insertion of a hose to suck out their brains have an unfettered license to kill.

Nurse Brenda Pratt Schaffer, who worked with the infamous Dr. Haskell, described the end of the life of one 6-month-old in this way, and I quote:

"The baby's body was moving. His little fingers were clasp together. He was kicking his feet. All the while his little head was still stuck inside. Dr. Haskell took a pair of scissors and inserted them into the back of the baby's head. Then he stuck the high-powered suction tube into the hole and sucked the baby's brains out. I almost threw up," she said, "as I watched him do these things."

To mitigate this cruelty, Mr. Speaker, this cruelty to children, some States, about 15, have already enacted partial-birth bans into law but litigation has mostly precluded enforcement. Other States are considering such a ban. And in Florida, Missouri, and my own State of New Jersey, where at least 1,500 of these partial-birth abortions are done each year in northern New Jersey alone, the bills were sadly vetoed by our Governors.

Mr. Speaker, the United States needs a national law to ban this violence against kids. Today we can do that. Today we can revoke the license to kill babies in this fashion and protect at least some kids from this kiddie holocaust called abortion on demand. If the President vetoes the bill, he and he alone empowers abortionists to murder kids in this hideous way.

Let's not forget, Mr. Speaker, the leadership of the pro-abortion movement has been savvy in masking the violence and cruelty to baby girls and boys killed by abortion in general and this method in particular. But they have been exposed once again and by one of their own.

Members please recall that Ron Fitzsimmons, the ex-director of the National Coalition of Abortion Providers, has publicly confessed that he "lied through (his) teeth" when he told a TV interviewer, according to the New York Times, that partial-birth abortion was "used rarely and only on women whose lives were in danger or whose fetuses were damaged."

According to the AMA News and the New York Times, Mr. Fitzsimmons now says that his party line defense of this method of abortion was a deliberate lie—and that in the vast majority of cases, the procedure is performed on a healthy mother with a healthy fetus that is 20 weeks or more along.

Most in the media believed and amplified as true the falsehoods and lies put out by Planned Parenthood Federation of America, the Alan Guttmacher Institute, the ACLU, NARAL, the National Family Planning and Reproductive Health Association, NOW, the National Republican Coalition for Choice, People for the American Way, Population Action International, Zero Population Growth [ZPG], to name a few signers of an October 25, 1995 letter to Members of Congress which stated:

This surgical procedure is used only in rare cases, fewer than 500 per year. It is most often performed in the case of wanted pregnancies gone tragically wrong, when a family learns late in pregnancy of severe fetal

anomalies or a medical condition that threatens the pregnant woman's life or health.

These groups lied to us. And it's not the first time these groups have lied to us. Dr. Bernard Nathanson, a former abortionist and a founder of NARAL has said lying and junk science are commonplace in the pro-abortion movement. It is the way they sell abortion to a gullible public. Dr. Nathanson said that in the early days, they absolutely lied about the number of illegal abortions; today, he says they lie about the link of abortion and breast cancer—there is a link; and they lie about the safety of abortion. And of course, the big lie on partial-birth abortion has been exposed. The procedure is not rare—it is common—and it is used with devastating consequences on perfectly healthy mothers and babies.

In the debate on partial-birth abortion last year, remember the big lie about how anesthesia kills the baby? That falsehood was exposed by the president of the American Society of Anesthesiologists, Dr. Norig Ellison, who explained before the Senate Judiciary Committee:

I believe this . . . to be entirely inaccurate. I am deeply concerned, moreover, that the widespread publicity given to Dr. McMahon's testimony may cause pregnant women to delay necessary and perhaps life-saving medical procedures, totally unrelated to the birthing process, due to misinformation regarding the effect of anesthetics on the fetus. . . .

Mrs. LOWEY. Mr. Speaker, I yield 15 seconds to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, of those 15 States that have passed the law the gentleman advocates, 9 have been found to be unconstitutional.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, we can learn from our elders. Our first citizens, native Americans, have a phrase that I think bears repeating in this place: Do not judge a person until you have walked a mile in their moccasins.

So I say to the Members who are pushing this ban, they are probably very sincere but most of them do not know what they are talking about. They do not know the agony of a late failed pregnancy. They do not know in what circumstances a physician may have to counsel a family in order to protect the health of a particular woman. They do not know about the choices families must make when they have to choose between a woman's health and a badly damaged fetus.

So, my colleagues, I say it is time we step into the shoes of those women, of those families, of those doctors. It is time politicians stop making decisions that are best made by families, by women, by physicians. It is time to get the Government off the backs of our citizens. It is time to listen to the

38,000 Members of the American College of Obstetrics and Gynecology, because they do know and they are opposed to this ban. I would urge my colleagues to join those doctors and oppose this ban.

Mrs. LOWEY. Mr. Speaker, may I inquire of the Chair the time remaining?

The SPEAKER pro tempore. The gentlewoman from New York [Mrs. LOWEY] has 10 minutes remaining, and the gentleman from Florida [Mr. CANADY] has 7 minutes remaining.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we continue to oppose this bill for two very simple reasons. It endangers the life and health of American women. It is blatantly unconstitutional. The antichoice majority has trumpeted the AMA's support for this bill, but the changes made to this bill to win the AMA's support do nothing, nothing to protect the lives and health of American women.

Again, I want to remind my colleagues, whether one believes that the Constitution should say more or should say less, the point is that 10 courts have struck down, even, or changed abortion bans like the one before us because they violate *Roe versus Wade*. Ten courts have spoken. Why will not Congress listen? This bill tramples on *Roe versus Wade* and is a direct assault on the constitutionally protected right to choose.

Mr. Speaker, let me be very clear. As a mother, as a new grandmother, I respect and celebrate life with every ounce of my soul, with every ounce of my being. I find it very offensive when year after year my colleagues and I will go to the leadership, will go to the Committee on Rules and say, let us craft a bill that the President will sign. Let us craft a bill that will focus on postviability abortions, will disallow postviability abortions except as they protect the health and the life of the mother.

But unfortunately, the majority again, time and again, will not work with us to help craft this bill. So year after year this procedure, which they say they abhor, continues when we want to make sure that postviability we are eliminating a procedure except to save the life and health of the mother, which is consistent with *Roe versus Wade*.

I would ask my colleagues again, work with us. Let us craft the language that the President can sign, and we can get this enacted into law, that we feel is reasonable and that will protect a woman's life and health.

Mr. CONYERS. Mr. Speaker, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I wanted to thank the gentlewoman for her leadership, not just today but year after year, on this subject matter. I am

hoping somebody raises the fact that the AMA has switched its position, because I have got the letter they sent NEWT GINGRICH on the same day they switched their position, detailing what they wanted for the switch.

That AMA, that is the American Medical Association. And what did they want? Well, they wanted some compromises. They detailed a plan to stall or minimize any cuts that might come from the physicians' incomes. Let us not wax lyrical about the AMA is now on the side of the conservatives in this country. They just sold out, very elementary, dear Watson, it happens in the Congress and in the body politic with great frequency.

Once again, we all know that the issue is about the health of the mother. The opponents keep trying to hope they can override our resistance. The Supreme Court still states what the law of the land is, and for all the doctors on the Republican side that do not know the fifth amendment is severely connected to this subject matter, believe me, it is.

Mrs. LOWEY. Mr. Speaker, I thank the distinguished ranking minority leader.

Mr. CANADY of Florida. Mr. Speaker, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Florida.

Mr. CANADY of Florida. Mr. Speaker, the gentlewoman raised an issue about proposed amendments dealing with the mother's health. The problem with the amendment that the President has proposed which would deal with the mother's health is that it would first not deal with the vast majority of partial-birth abortions at all, because it is restricted on its face to postviability abortions and most partial-birth abortions occur before viability. Furthermore, the President's proposal would give unfettered discretion to the abortionist to decide.

Mrs. LOWEY. Reclaiming my time, Mr. Speaker, I would rather the gentleman speak on his time since I have limited time.

Mr. Speaker, I yield 2 minutes and 30 seconds to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I thank the gentlewoman for yielding me the time and for her extraordinary leadership on a very hard bill to manage and carry, but one that has to be carried.

I want to make three points. One goes to the futility of this bill based on its unconstitutionality. The other goes to who gets protected. The final goes to the intolerable trade-off that this bill forces and that cannot be condoned under any circumstances. Why are we here on a bill that is unconstitutional on its face?

We have not had to deal with the exception for health of the mother in the Hyde amendment and other matters because we had not focused on

postviability. But the Supreme Court has been clear. I want to quote the language, that a bill is unconstitutional if it "fails to require that maternal health be the physician's paramount concern." That is where the Catholic church has always been. That is where all of us have always been, if ever there is that kind of tragic decision to be made.

We must face that now as we have not had to because we are focusing postviability.

Why are we here on a bill that protects physicians and not women? The doctors got language that satisfied them and jumped ship. I thought they were supposed to have a paramount duty to their patients as well.

They better watch out, because there is language in this amendment that I think leaves them in jeopardy as well. It must be found that no other medical procedure would suffice. I can imagine that going before committee of doctors in the hospital, particularly when we consider how reluctant physicians are ever to use this procedure.

And finally, this forces the intolerable tradeoff of mother for fetus. It comes down on the side of fetus. It requires sacrifice of the mother because whatever the state of her health, it cannot be taken into consideration. For these reasons, I do not see how in good faith this body can pass this bill.

Mrs. LOWEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, again I just want to reach out to the gentleman from Florida [Mr. CANADY] and the gentleman from Illinois [Mr. HYDE], and ask them to work with us to craft a bill that would protect the health and the life of the mother. We could have had a bill today. This was first introduced in 1995.

□ 1315

It was vetoed by the President. It came back five times. We could have a bill today.

And I want the gentleman to know that I respect the passion of the opponents on this issue just as I hope the gentleman would respect the passion of women such as myself who have given birth to beautiful children, who is now a grandmother and respects life and celebrates life. I wish the gentleman would have more respect for those women like Claudia Addes, who suffered the pain of losing a child when she desperately wanted a child.

I am saying to the gentleman, with respect, let us sit down and work out a bill that would protect those women, protect all the women who may face this very difficult tragedy in their lives at some future time. I hope no one close to the gentleman ever faces that decision.

Let us work together, let us craft the bill, protect the women and the families who have to face these difficult decisions and, Mr. Speaker, let us not put

a doctor in the terrible position of making this decision that he does not or she does not feel is the correct decision.

Mr. CANADY of Florida. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. HYDE], chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Speaker, I wish I had more time to answer the gentlewoman from New York. She is a wonderful person. She is a sincere person. Her motives are most noble, and I wish everyone on her side would understand this is not politics. This is a tough issue for anybody.

We happen to believe in protecting the unborn child. We happen to think the health of the mother does not equal the life of the unborn. That is not a good trade-off. That is where we get stuck.

We hear from doctors, like Dr. Hearn, who wrote the book on abortion, that if a woman is pregnant she is in a life-threatening condition. Do we want him to make the decision on what is grievous physical health? We have problems, but it is not that we are not willing to negotiate on them.

Mr. Speaker, abortion is not mentioned in the Constitution. The abortion license was an invention by seven Supreme Court justices. But cruel and unusual punishment is in the Constitution. And by any definition, partial-birth abortion is cruel and unusual punishment, punishment for the capital crime of being unloved and unwanted.

Every abortion happens over somebody's dead body. We hear a lot about the woman, and we should, but we do not hear a scintilla about the little girl baby, the little boy baby whose heart is beating wildly and who is flailing, their having been almost delivered and who want to live. We do not hear about them.

Every abortion results in a violent death, whether the abortionist uses dilatation and curettage or the chemical warfare of saline injection which scalds the little baby to death that is called salting out, or RU-486 chemical warfare against the little baby, or the infamous suction machine, abortion means violent death in the womb. But partial-birth abortion adds a gruesome dimension to this cruelty by reaching the level, or should I say the depth, of infanticide.

A word about truth. America is committed to truth. "We hold these truths," that great Virginian Jefferson wrote. "The truth will make you free," we tell our children. How many times have we sung the majestic words from the "Battle Hymn of the Republic," "His truth goes marching on?" Well, Mr. Speaker, the whole case for partial-birth abortion is based on deception and untruth.

And that is not surprising, because the history of the pro-abortion rights

movement is replete with one falsehood after another. And I frankly get tired of being lied to.

Bernard Nathanson, a doctor who ran the biggest abortion clinic in America, wrote a book called "Aborting America." And he said "I cannot escape the notion that I have presided over 60,000 abortions." But concerning the number of back-alley abortions, he said we made the figures up. He is a founder of the National Abortion Rights Action League. He and a man named Lawrence Lader concocted figures because they sounded good about back alley abortions as a justification for their organization dedicated to legalizing abortion. "We made up the figure 10,000 because it had a nice round sound to it." That was a lie.

Roe versus Wade was a lie. Norma Jean Corvey, who was Jane Roe, said she never was raped. The case was presented as a rape situation to make it more poignant. But later, when she became pro-life, she admitted that she lied; that she was not raped. So the foundation of Roe versus Wade was a lie.

Then we have partial-birth abortions, where Planned Parenthood told us that anesthesia kills the little baby. The baby does not feel pain. The mother is anesthetized. The anesthesiologists came in and went ballistic. They said enough anesthesia to kill the little baby would kill the mother. "We do not want people to shy away from taking anesthesia" they told us. That is a lie.

Then, of course, we have the famous Ron Fitzsimmons, executive director of the National Coalition of Abortion Providers, who in an article in the American Medical News said on the night in November 1995, when he was on "Nightline," he "lied through his teeth." He lied through his teeth about how many of these abortions are done and at what time in the pregnancy. So deception. Lies. I get tired of it.

Now, we are not stopping abortion, as the gentlewoman points out, but we are stopping a loathsome, grisly by-product of the mindset that treats people as things and as objects. We are saying halt this cruelty now and not tomorrow.

I want to address the President, if I may presume to do so. On June 12 in 1987 at the Brandenburg Gate, Ronald Reagan challenged General Secretary Gorbachev. He said, "Mr. Gorbachev, tear down this wall." And as a result of that wall finally coming down, a new birth of freedom, that wonderful phrase, suddenly appeared for millions of people.

Well, there is another challenge that I would like to make, and I do not presume to be Ronald Reagan nor do I ascribe the President as Mr. Gorbachev, but the challenge is as noteworthy as the Berlin Wall, and that is because it means life and death to thousands of

endangered tiny defenseless humans, sign this bill, Mr. President, then the prayers of millions and even the inaudible prayers of the little yet-to-be-born will be answered.

Mr. President, stand between them and a gruesome death. Cruel and unusual punishment. We can provide them with life and with hope, and I ask the President if he has not been lied to enough by these people who are so fearful that the abortion license will be encapsulated a little bit more than it is, be a little less free, a little less wanton. They are so fearful of that, they will not give an inch.

This procedure is inhuman. Animals of the forest would not treat their young this way. So all we say is we have been lied to enough. This does not impair abortions. They will go on merrily every day. We will get to them.

Mr. President, sign this bill.

Mr. UNDERWOOD. Mr. Speaker, I rise in strong support for this legislation which bans partial-birth abortions. Over the past year, the House expressed its opposition to this procedure: not once, not twice, but three times. The decision before us today is simple: do we ban this procedure which is incredibly inhumane and incredibly brutal? I join the National Right to Life Committee, the U.S. Catholic Conference, the American Medical Association, and many others in saying no to partial-birth abortions.

According to Ron Fitzsimmons, executive director of the National Coalition of Abortion Providers, and other sources, it is estimated that partial-birth abortions are performed about 5,000 times. Do we really want to sanction the termination, no the killing of 5,000 babies? Have we given up on these unborn babies before they have a chance to live? Sadly, the majority of partial-birth abortions are performed in the 5th and 6th months of pregnancy, on healthy babies of healthy mothers. What has happened to our sense of morality and our sensibility?

The arguments that this bill does not take into account the health of the mother are not valid. This bill is narrowly crafted to outlaw only partial-birth abortions; the bill still leaves in place other legitimate medical procedures to protect the life and health of the mother. In September 1996, the former Surgeon General C. Everett Koop issued a statement that "partial-birth abortions is never medically necessary to protect a mother's health or her future fertility. On the contrary, this procedure can pose a significant threat to both."

Mr. Speaker, the babies involved in this procedure are alive and experience great pain when they are subjected to partial-birth abortions. As a civilized society, we should outlaw this medical procedure; we should not be engaged in sanctioning the killing of human beings; once again, we should say no to partial-birth abortions. I urge my colleagues to join me in supporting the ban on partial-birth abortions.

Mr. LEVIN. Mr. Speaker, I do not favor late-term abortions and feel none should be allowed, whatever the procedure, unless necessary to preserve the life of the mother or prevent serious

consequences to her health. The bill we are considering today, like a similar bill I opposed last year, not only fails to address all late-term abortions, but it does not protect a woman from the severe health consequences which may be associated with tragic pregnancies.

For the majority, the repeated consideration of this legislation is not about reducing abortions in America. If that were the goal, the majority would allow for the consideration of a bill which protects a mother's health, as required by the Supreme Court in post-viability abortions, and a bill would be passed by this House and signed into law by the President.

We are asking the majority to be sensitive to and protective of the health of mothers who find themselves in medically and personally tragic situations. I am voting against moving the previous question so that we can consider the Hoyer amendment and ban all late-term abortions while ensuring the protection of a woman's life and health.

Mr. ABERCROMBIE. Mr. Speaker, today I rise in opposition to H.R. 1122, the Partial-Birth Abortion Ban Act. H.R. 1122 has been amended in an effort to clarify the bill's intentions. Yet, H.R. 1122 fails to provide women with the basic protections established in *Roe versus Wade*.

The new definition of what constitutes a partial-birth abortion is vague, convoluted, and confusing. What is a partial delivery of substantial proportion, for example? Doctors and lawyers will not have a clear idea of what is being banned.

H.R. 1122 gives any accused physician the right to have his or her conduct reviewed by the State Medical Board before a criminal trial begins. The provision does not give the State Medical Boards the authority to issue advisory positions. The provision only allows the State Medical Boards to comment on the doctor's conduct with respect to the necessity of saving the life of the woman. They cannot comment on whether or not the procedure meets the definition of a partial-birth abortion. Possible conflict of interest in the makeup of the medical boards is not addressed. The provision falsely implies that doctors have some type of protection; they do not. Doctors still have to go through criminal proceedings.

In *Roe versus Wade*, the U.S. Supreme Court recognized a woman's constitutional right of choice. *Roe* also established that this right is limited after viability, at which point States may ban abortion as long as an exception is provided for cases in which the woman's life or health is at risk. H.R. 1122 fails to make the distinction between pre- and post-viability abortion.

Forty States and the District of Columbia ban post-viability abortions. The U.S. Supreme Court has struck a balance between a woman's right to choose and the protection of potential life. H.R. 1122 unfortunately does not clarify the distinction.

Intervening in a lawful medical decision is inappropriate, ill advised, and dangerous. It is always in order to question laws and write legislation which may alter existing statutes. H.R. 1122 does not address what is now lawful in

a manner which meets the necessary criteria for changing the law.

Mr. ADERHOLT. Mr. Speaker, I rise today in support of H.R. 1122 as amended by the Senate.

This bill would help to fight what Pope John Paul recently called an abominable crime and the shame of humanity—the crime of abortion.

On the Pope's recent visit to Brazil he asked, "How many times did we hear Mother Teresa's lips proclaim the priceless value of life from the moment of conception in the maternal womb? Death has silenced those lips, but Mother Teresa's message in favor of life continues to be more vigilant and convincing than ever."

It is my belief that our creator will not hold this Nation guiltless for our contribution to the killing of the unborn. Indeed, the Bible tells us in Proverbs that God hates "hands that shed innocent blood." Certainly, there can be none more innocent than the unborn.

And this procedure is particularly horrific. It has been called the closest thing to infanticide. I will not go into the gruesome details of this procedure but I believe that it is telling that many who support abortion on demand, do not support this procedure.

There are few moral questions that come before this body that are more clear-cut and simple than this one. The question we will vote on today is whether your support a method of abortion that involves partially delivering a baby and then killing it, or do you support allowing a newborn to live. Pure and simple.

I am proud to stand today with those who support life. I urge my colleagues to honor the words of the Pope and Mother Teresa by supporting life—and to vote in favor of the ban on partial birth abortions.

I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, let there be no mistake. The amendments that we are considering here today do not make this bill acceptable. They do not provide the critical exception necessary to protect women in tragic circumstances from serious harm to their health.

This bill is still unconstitutional, and is still in direct violation of the fundamental rights described in *Roe versus Wade*.

This bill would still criminalize doctors for using their best medical judgment to protect the lives and health of women.

This bill would still give a father who abused or abandoned a woman the right to sue her if she and her doctor determine that she needs to have this procedure. Not only does this bill infringe on the constitutional right to choose, but it rewards abusive fathers.

This bill is still fundamentally flawed, because it is based on the principle that politicians, not doctors, ought to make medical judgments about what procedures are appropriate.

I would urge every pro-choice Member who may be inclined to vote for this bill to carefully consider exactly why they are pro-choice. If you are pro-choice because you believe it is a woman's decision, not the government's, about whether or not to have an abortion, then I urge you to vote against this bill. If you believe that sometimes abortions are necessary to protect the health of a woman, then you ought to vote against this bill. If you believe that doctors should not be denied the option of

using a medical procedure that they deem appropriate, then you must reject this bill. If you believe in the fundamental principles of *Roe versus Wade*, then you must not support this bill which severely restricts a woman's right to choose to have an abortion of a fetus that cannot live outside of the womb.

This bill, unfortunately, is not about protecting women's lives. Instead, it is the result of a multimillion dollar campaign aimed at fundamentally limiting women's rights. If this bill becomes law, it will most certainly be challenged in the courts and the result may be a reexamination of *Roe versus Wade*. So I hope my pro-choice colleagues, who may be inclined to vote for this bill, realize that they are in effect asking the Supreme Court to reexamine the issues resolved by *Roe versus Wade*.

Make no mistake, this bill is not about one particular procedure. It is about the right to choose. I urge my colleagues to defend a woman's right to choose, and to reject this dangerous bill.

And let me close by quoting a letter from a woman in New York City who faced a tragic situation involving a fetus with a severely deformed heart, and who would have been affected by this legislation had it already become law. She writes,

You must hear our voices before you vote on this misguided bill, as well as the voices of other mothers and fathers who weep over their empty cribs. We are not bad people. We are extremely unfortunate, suffering families trying to cope with personal tragedies. Please don't deepen our wounds by taking away our choices. Please vote against H.R. 1122.

Mrs. LOWEY. Mr. Speaker, I rise in opposition to the bill, and I yield myself such time as I may consume.

This is the fifth time that the House will vote on this issue. Unfortunately, it won't be the last. As my colleagues know, the President will veto this legislation because it does not contain an exception to ensure the health of American women. So we will be back here again next year.

We have repeatedly tried to offer a health amendment to the bill on the floor of this House—and the Republican leadership has consistently blocked us. We offered to sit down and work with the Republican leadership to craft a health exception that we could all accept. The Republican leadership refused. The President will sign this legislation if it contains a health exception—but the Republican leadership won't even give us the chance to put one in.

The GOP leadership doesn't want to ban this procedure—it wants a political issue. Republicans would rather debate this again and again and again rather than send the President a bill that he can sign into law. But don't take my word for it—take Ralph Reed's. On May 21, he told the *New York Times* that this was a quote, winning gold-plated issue going into the 1996 elections.

No pious words about the defenseless unborn, no handwringing over moral decay. Just a winning gold-plated issue. This is pure politics, plain and simple.

My colleagues, you will hear a great deal today about the AMA and its endorsement of this bill. You will hear that changes made to this bill in the Senate have improved it.

Nonsense. The Senate amendments are window dressing that provide cover to doctors while leaving women out in the cold. Sadly, the AMA struck a very cynical bargain with the Republican leadership to endorse this bill.

Thankfully, Mr. Speaker, the AMA is not the final word on this issue. The American College of Obstetricians and Gynecologists, ACOG, the health professionals who actually deliver babies and care for women, oppose this legislation. And let's not forget, my colleagues, that the AMA represents doctors—not women. So while the changes made to this bill in the Senate may make it marginally more difficult to throw doctors in jail, they will do nothing—absolutely nothing—to save the lives or preserve the health of pregnant women.

So, we are left with the same bill that we have voted on four times before. The same bill that puts the lives and health of women at risk. The same bill that violates the Constitution and tramples on the rights of American women.

Women from around the Nation testified before Congress that this procedure protected their lives and health. Women like Tammy Watts, Claudia Addes, and Maureen Britel. Women who would have been harmed by this bill.

These women desperately wanted to have children. They had purchased baby clothes. They had picked out names. They did not abort because of a headache. They did not choose to abort because their prom dress did not fit. They chose to become mothers and only terminated their pregnancies because of tragic circumstances.

Who in this body will stand in judgment of them? Which of you will stand in the operating room and limit their options? Who, at the agonizing moment, will decide—the Congress of the United States or the women and families of America?

The courts have been very clear on this question, and have consistently found bills of this type to be unconstitutional.

Lawsuits have been filed in 10 States challenging State statutes similar to the bill before us. In 10 States, courts have ruled that the laws were unconstitutional and struck them down, limited their scope, or enjoined them.

Mr. Speaker, when the House debated this issue in March the distinguished gentleman from Florida assured us that this bill was constitutional and consistent with *Roe*. Since then this ban has been struck down, changed, or enjoined on constitutional grounds in 10 States. Ten States. States have moved ahead and passed these bans—and they have been struck down, again and again. The courts have clearly spoken: This bill violates a woman's constitutionally protected right to choose.

Unfortunately, we know that the anti-Choice majority won't allow a little thing like the Constitution to stand in the way of their abortion ban. Mr. Speaker, the anti-Choice Republican leadership has been waging war on the reproductive rights of American women since taking over this House in 1994. In the last Congress alone the GOP leadership voted to limit abortion rights more than 50 separate times—a new record. It is clear that the Republican leadership wants to ban every abortion, procedure by procedure, trimester by trimester. They want to roll back *Roe* versus *Wade* and push women into the back alley.

We have a different vision. We will continue to fight to ensure that women are able to obtain safe, legal abortions. And we will work to reduce the number of abortions by providing women with greater access to family planning and contraceptives. We will work to empower women to make responsible choices about their own bodies.

The Republicans have chosen to make our bodies their battlegrounds. They will not succeed.

Mr. Speaker, I submit the following for printing in the RECORD:

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, May 19, 1997.

HON. NEWT GINGRICH,
U.S. House of Representatives,
Capitol Building, Washington, DC.

DEAR SPEAKER GINGRICH: On behalf of the 300,000 physician and medical student members of the American Medical Association (AMA), I am writing to express our strong concern with the level of Medicare payment cuts proposed in the budget agreement with the Administration, as well as many of the specific physician payment changes included in the Administration's 1998 budget proposal.

A balanced budget and solvent Medicare Trust Fund are important goals which the AMA supports. However, we strongly object to reducing Medicare spending by \$115 billion over five years almost entirely from cuts to physicians and other providers. It is clear that physician spending is not the problem with Medicare's overall growth. Physician spending growth is already well below overall Medicare growth and below the growth rate for any other major sector of Medicare. The Congressional Budget Office (CBO) estimates that under current law, physician payments per service will fall below current payment rates, while hospital and other Part B services are projected to rise. In fact, physicians are the only provider group who already face payment reductions in Medicare under current law.

More importantly, the combination of payment cuts under consideration, combined with pending payment changes, could seriously undermine the quality of care physicians deliver to Medicare patients and ultimately reduce beneficiary access to care, as low payment rates have resulted in access problems for Medicaid patients. CBO stated last month that "if payments are too tightly limited, beneficiaries could encounter difficulties in getting care from some providers or might not be able to obtain certain services." It is critical that any proposed budget cuts be considered in conjunction with other already pending physician payment changes, including the implementation of the resource-based practice expense, as discussed below.

The AMA believes Congress and the Administration should enact fundamental reforms to the Medicare program, such as those included in the Balanced Budget Act of 1995, instead of merely reducing payments and making minor modifications to the program. We have developed a comprehensive proposal, Transforming Medicare, which addresses both the short and long-term problems with Medicare, without relying on failsafe or lookback provisions. Our plan modernizes traditional Medicare, eliminating the need for Medigap, while preserving the security and quality of care beneficiaries now receive. It would create a broad menu of health plan choices of Medicare beneficiaries to choose from, including Provider Sponsored Organizations (PSOs) and Medical Savings Accounts (MSAs). It in-

cludes needed regulatory reforms to fraud and abuse and self-referral provisions, as well as cost-saving professional liability reforms. It also ensures that a healthy Medicare is available for future generations. We are pleased to enclose a copy of our Transforming Medicare proposal for your consideration.

IMPROVING THE PHYSICIAN PAYMENT SYSTEM

There is widespread agreement that the current method of updating physician payments, the Medicare Volume Performance Standard (MVPS) system, is fundamentally flawed. The Congress, the Administration, and the Physician Payment Review Commission (PPRC) have all proposed replace the current MVPS update formula with a sustainable growth rate (SGR) formula, which uses a real per capita gross domestic product (GDP) formula to adjust for volume and intensity.

In general, the AMA supports implementing the SGR approach as a needed correction for the MVPS. Fundamentally, the question for policymakers is determining the level of annual spending growth for physician services that best balances patient care needs and the federal budget. Under the current MVPS physician update formula, Medicare payments for physicians are actually projected to be rolled back, while hospital and other provider payment rates go up. Although these non-physician services are unlikely to see their full projected increases, their budget savings will be charged against this rising baseline, while further savings from physicians require even deeper cuts.

Physician practice costs, as measured by the Medicare Economic Index (MEI), continue to rise while physician reimbursement under Medicare is projected to fall. While we believe that MEI is the appropriate goal for physician updates, we understand that budgetary constraints may not presently allow for a full MEI update for physicians. We would be willing to accept GDP+2 under an SGR system, as was provided in the Balanced Budget Act of 1995, if there were assurances that this could be increased to cover MEI once the necessary Medicare savings were obtained. In contrast, under GDP+0 as the Administration proposes, physician payments would continue to fall well below MEI, as the chart below indicates.

Physicians are willing to do their part to put Medicare's fiscal house in order, as we have repeatedly done in the past. Physicians, who accounted for 32% of combined physician and hospital Medicare spending from 1987 to 1993, absorbed 43% of Medicare provider cuts over the same time. We are only asking for the opportunity to have Medicare payments keep up with the costs of providing care to Medicare beneficiaries, and are willing to accept the challenge of maintaining low volume growth. Budget reconciliation for Medicare should reflect the fact that physician spending is under better control than any other major Medicare segment. Physicians should not be penalized for having done the right thing in the first place.

SINGLE CONVERSION FACTOR

The Administration's 1998 budget also proposes moving to a single conversion factor and payment update for the physician fee schedule. Medicare payments to physicians are set through a conversion factor that translates the resource-based relative value scale (RBRVS) into dollars. Currently, there is a conversion factor for each of three types of physician services: for 1997 these are set at \$40.96 for surgery; \$35.77 for primary care;

and \$33.85 for other services, as well as a separate conversion factor for anesthesiologists discussed below.

The AMA strongly supports the move to a single conversion factor, in conjunction with improvements to the flawed MVPS formula. However, we believe Congress must set the single conversion factor at an adequate level and provide for a reasonable transition in order to minimize the negative financial impact on surgical services and reduce potential financial disincentives for providing care for Medicare patients. We believe that, at a minimum, the conversion factor for 1998 should be set no lower than the default update under the current MVPS formula, and a single conversion factor should be fully phased-in no earlier than the year 2000.

Medicare reimburses anesthesiologists by a different conversion factor methodology than that applied to other physicians services. For 1997, the anesthesiology conversion factor is set at \$16.68, and is therefore about 46% of the \$36.24 average of the other three 1997 conversion factors. For purposes of determining the annual update, anesthesiology was assigned to the "other nonsurgical" category until 1996 when it was moved to the "surgical" category. The Administration has proposed to reduce the anesthesiology conversion factor by the same percentage as surgical services when surgery, primary care and other nonsurgical services are combined into a single conversion factor. However, that would clearly be inequitable since the cumulative increases over the life of the RBRVS are almost 17% higher for surgery than for anesthesiology. The AMA therefore supports PPRC's recommendation that in the move to a single conversion factor, the current ratio (46:100) should be maintained between the anesthesiology conversion factor and the new single conversion factor for other specialties.

RESOURCE-BASED PRACTICE EXPENSE

As mentioned above, many physicians face additional extreme payment reductions due to the implementation of the resource-based practice expense in 1998. The Social Security Act Amendments of 1994 requires the Health Care Financing Administration (HCFA) to implement a "resource-based" practice expense component of the Medicare fee schedule by January 1, 1998. That is, the payment for this component—which represents over 40 percent of the payment for physician services—is to be based on the actual expenses incurred in delivering each service. Currently, the practice expense allowance is derived from a formula based on the prior reasonable charge payment system.

The AMA supports resource-based practice expenses so long as they reflect actual practice expenses, but is seeking a one-year extension of the implementation date. The 1994 legislation said that HCFA should "recognize the staff, equipment, and supplies used in the provision of various medical and surgical services in various settings." HCFA contracted with Abt Associates to conduct a two-part study of 3,000 physician practices expenses. When the survey was pulled back due to poor response rates, HCFA was left without adequate data to meet the intent of the law.

HCFA is now relying primarily on data derived from clinical practice expert panels, or CPEPs. Early review of the recently-released CPEP findings suggest that they contain a number of errors. HCFA has even rejected certain direct costs that its expert panels found were part of the cost of surgery when doctors supply their own staff and supplies in hospital operating rooms. The AMA and

medical specialties are working to identify and correct those flaws but more time is needed.

The cuts HCFA projected in January are so extreme that they would nearly eliminate practice cost reimbursement for some procedures and specialties. Many inpatient surgical procedures and two specialties could suffer cuts of more than 80% in their practice expense values, and at least 40% in their total payments. Under HCFA's projections, payments for many surgical procedures would fall below Medicaid levels. Thus, there is good reason to fear that if Medicare makes deep cuts in its payments for complex procedures, doctors performing these services may find that they can no longer afford to accept Medicare patients.

PPRC has advocated that HCFA should use a three year transition in phasing-in the new resource-based practice expense values in order to reduce the impact. The AMA believes that using a transition is pointless if the underlying data and methodology is invalid. Others argue that any problems can be corrected later through a refinement process similar to the one used when new work values were implemented in 1992. We strongly oppose this approach because we believe it is inappropriate to attempt to correct fundamentally flawed data. HCFA invested nearly three times as much time and money on the design of new work values as it has spent to revise practice expense values. Whereas thousands of doctors were surveyed to come up with the work values, in the end, there has been no broad survey of practice expenses.

Opponents of an extension also maintain that there is no point in waiting another year because the demise of the indirect cost survey shows that it will be possible to collect this information independently. We believe that with another year, HCFA could develop alternative relative values that bear some relationship to actual practice expenses. There would be adequate time to validate and correct the CPEP data. Better indirect cost allocation methodologies could be developed and tested. Missing data could be collected, perhaps through an expansion of existing surveys.

The AMA urges Congress to: (1) extend the resource-based practice expense implementation date by one year to January 1, 1999; (2) require HCFA to develop a new proposed rule to be published at least 8 months before implementation, with 90 days for public comments; (3) direct HCFA to use a new approach to data and methodology which recognizes all staff, equipment and supplies (not just those which can be tied to specific procedures); (4) require that the proposed rule include detailed impact projections which compare proposed payment amounts to data on actual physician practice expenses; and (5) require HCFA to consult with organizations representing physicians regarding resource-based practice expense methodology and data in order to ensure that sufficient input has been received from the affected physician community.

OTHER PHYSICIAN PAYMENT ISSUES

Assistants at Surgery

The Administration is proposing to save \$400 million over the next five years by making a single payment for surgery. This means that the additional payment Medicare now makes for a physician assisting the principal surgeon in performing an operation would no longer be made. Instead, the payment amount for the operation would have to be split between the principal surgeon and the assistant at surgery. We believe this provi-

sion dangerously imposes financial disincentives for the use of an assistant at surgery and inappropriately interferes with physician medical decision-making. The AMA supports efforts to develop guidelines for the appropriate use of assistants at surgery, but believes that patient care should not be compromised in search of Medicare savings. The professional judgment of surgeons regarding the need for an assistant at surgery for a specific patient must be recognized, even for operations in which an assistant ordinarily may not be required. Congress has considered and rejected this proposal in the past, and we urge you to reject it again.

High Cost Medical Staff

The Administration proposes to reduce Medicare payments for so-called high cost hospital medical staffs. This proposal is not new. In its 1994 Annual Report to Congress, the PPRC concluded that such a "provision's disadvantages . . . outweigh its advantages." The Commission went on to note that such a provision: "May have unintended effects on physician behavior, including a shifting of admissions away from hospitals with the high-cost designation. The provision would also increase the cost and complexity [of] administering the Medicare program."

In some cases, the physicians responsible for a hospital's medical staff being designated "high cost" for a given year might simply take their patients elsewhere, leaving the remaining physicians on staff to bear the financial consequences, with potentially serious repercussions for the affected hospital. Finally, the proposal could inappropriately reduce payments to physicians who treat a sicker patient population. In the absence of a sound methodology to measure differences in the severity of illness of the patient population being treated by the medical staff, it is too risky to put in place a formula-driven process that could inappropriately lower payments for treating patients who are more expensive to treat because they are sicker.

Centers of Excellence

The Administration proposes to expand what it calls the "Centers of Excellence" demonstration project, under which Medicare makes a bundled payment to participating entities covering both physician and facility services for selected conditions, such as coronary artery bypass operations. We are concerned that these demonstration projects do not offer a potential increase in quality and cost-effectiveness, and that these "centers of excellence" in fact emphasize cost-cutting rather than excellence. We also find the name "centers of excellence" inappropriate in that it implies that institutions participating in this payment arrangement provide higher quality services than non-participating institutions.

Outpatient Drug Payments

The Administration also proposes to reduce payments for drugs administered in physicians' offices. Today Medicare pays the average wholesale price for these drugs, which include a number of therapies for treating patients who are critically ill with cancer and kidney disease.

Under the President's plan, however, payment would be based on a complicated "actual acquisition cost" methodology. Specifically, payment would be based on the lowest price that the physician paid for that type of drug in the previous six months. In addition, payment would be capped at the national median of prices paid for the drug in a period 6 to 18 months earlier. In other words, the so-called "actual acquisition cost" has nothing to do with the "actual cost" of the drug provided to an individual patient.

By definition, the half of all practices above the national median will be paid less than their purchase price for these drugs. Since all payments will be based on prices that are six to 18 months old, physicians will be forced to undertake a burdensome new tracking system and to absorb any increases imposed by drug manufacturers or wholesalers during that time. More important, patients could suffer as physicians, unable to recover the price of the drug let alone other associated costs, might be forced to discontinue providing the drug in their offices, requiring patients to have their drugs administered in hospitals where costs to the patient and Medicare may be higher. For all these reasons, the AMA urges Congress to reject this unfair and impractical proposal.

FRAUD AND ABUSE

The AMA strongly opposes the Administration's efforts to repeal the fraud and abuse safeguards included in the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Specifically, the Administration has proposed to eliminate the obligation of the Departments of Justice and Health and Human Services to issue advisory opinions on the anti-kickback statute, reduce the government's burden of proof for civil monetary penalties, and repeal the risk sharing exception to the anti-kickback statute.

Fraud and abuse has no place in medical practice and the AMA is committed to setting the highest ethical standards for the profession. The incidence of misconduct can be greatly reduced by setting standards of appropriate behavior, disseminating this information widely, and designing and implementing programs to facilitate compliance. HIPAA provides new and much needed guidance by requiring HHS to establish mechanisms to modify existing safe harbors, issue advisory opinions, and issue special fraud alerts. This guidance will allow physicians, hospitals and insurers to develop efficient and effective integrated delivery systems that will benefit Medicare, Medicaid and the private health care marketplace.

In the area of civil monetary penalties (CMPs), HIPAA requires that the Inspector General establish that the physician either acted "in deliberate ignorance of the truth or falsity of the information." The AMA, along with many Members of Congress, fought long and hard to preserve this clarified standard in the face of strong opposition. This standard makes the burden of proof for imposing CMPs under HIPAA identical to the standard used in the federal False Claims Act, and there is no reason that two enforcement tools designed to address the same fraudulent behavior should have different standards of proof. Moreover, this section provides important protection for physicians who may unwittingly engage in behavior that is impermissible.

The AMA also strongly opposes the Administration's proposal to eliminate the new risk sharing exception to the anti-kickback law provided in HIPAA. The expansion of managed care in today's health care market requires additional exceptions to the anti-kickback laws so that more flexibility in marketing practices and contractual arrangements is afforded. The future of the Medicare and Medicaid programs depends upon the ability of competing plans to offer quality alternatives to the existing program. HIPAA provides a much needed exception to the anti-kickback law for certain risk-sharing arrangements which will facilitate the development of innovative and cost-effective integrated delivery systems.

Finally, the AMA has concerns with some of the proposals in the Administration's

"Medicare/Medicaid Waste, Fraud and Abuse Act of 1997." While we have not seen any legislative language on the proposals, we are concerned that some of the provisions are overreaching and could impose unwarranted penalties on unwary physicians.

PHYSICIAN SELF-REFERRAL

The AMA supports reforms for physician self-referral laws (Stark I and II) to remove barriers to arrangements among physicians in the developing health care marketplace, including the development of Provider Sponsored Networks (PSNs). These laws were designed for the fee-for-service world, but now deter the development of risk sharing arrangements where there is no incentive for inappropriate referrals. In addition, inappropriate referrals of Medicare and Medicaid patients to outside laboratories and other designated diagnostic facilities are already prohibited under the federal anti-kickback law. Congress recognized the need for these reforms when it passed the Balanced Budget Act of 1995. We ask you to include these same needed reforms in Medicare legislation in the 105th Congress.

PROVIDER SPONSORED ORGANIZATIONS

The AMA strongly supports federal legislation which would facilitate the development of Provider Sponsored Organizations (PSOs). We believe PSOs should be subject to federally developed standards which account for the distinctions between provider networks that deliver services directly and insurers that purchase health care services and resell them, while also providing tough consumer protection standards for patients. By developing a federal framework, Congress will continue its precedent of encouraging innovative new ventures that stimulate competition and provide cost-saving efficiencies. The 1973 HMO Act created a federal regulatory scheme for HMOs, preempting state laws that interfered with their formation and operation. HMOs argued successfully then, as did the Blue Cross plans previously, that they represented different products and should be evaluated by different standards. In addition, we support PSO standards which allow as much flexibility as possible in the ownership and management structure of a PSO and which do not favor one provider group over another.

PROFESSIONAL LIABILITY REFORM

Medicare reform should also include the professional liability reforms that have been so successful in California, including a limit on non-economic damages of \$250,000. Health care liability costs are built into the Medicare system in the form of physicians' and hospitals' liability premiums, defensive medicine, and coverage for distributors of medicines, blood services, and medical devices. In 1995, CBO scored \$200 million in federal government savings over 7 years in physician malpractice premium costs alone, without considering similar hospital, HMO and medical supplier liability costs. These are millions of dollars that could go to patient care and extending the life of the HI Trust fund, instead of paying attorney fees and insurance premiums.

GRADUATE MEDICAL EDUCATION

The AMA believes that because all patients benefit from our nation's graduate medical education (GME) system, the private sector should participate in the funding of GME through the development of an "all payer" fund. In addition, GME funds should be carved out of Medicare's payments to HMOs (i.e. AAPCC), with all direct medical education (DME) funds paid directly to the enti-

ty that incurs the costs of training, whether that entity is a medical school, hospital, nursing home, or ambulatory clinic. However, federal support in the form of the indirect medical education (IME) adjustment should continue to be provided to teaching hospitals which incur higher costs than non-teaching hospitals in providing training and unreimbursed patient care. Finally, a national physician workforce advisory body should be established to monitor and periodically assess the adequacy of the size and specialty composition of the physician workforce in the context of the changing needs of the evolving health care delivery system and evolving patterns of professional practice by non-physician health professionals.

CONCLUSION

Congress can no longer postpone tackling fundamental reform of the Medicare program. Failure to do so is certain to prove even more costly for the millions of Americans who expect to be able to rely on this program in the future, as well as those working Americans who are called upon to help finance it. Chopping away at physician payments in hopes of getting more services for less money will ultimately divorce the Medicare system and its beneficiaries from the mainstream of American medical care.

However Medicare is reformed, it will be our overriding goal to ensure that the change not damage the essential elements of the patient-physician relationship. Above all, reform should not break the bond of trust between a patient and physician that makes medicine unique.

We look forward to working with you and the 105th Congress to enact urgently needed structural reforms to protect Medicare for our seniors and save it for our children.

Sincerely,

P. JOHN SEWARD, MD.

Mr. BENTSEN. Mr. Speaker, today we are considering the Senate amendment to the Late-Term Abortion Ban Act, H.R. 1122. I oppose this legislation because, like the House-passed bill, it is fundamentally flawed and would put at risk the life, health, and fertility of women facing one of the most difficult, anguished, and personal decisions imaginable.

First, let me say that I oppose late-term abortions except, as the U.S. Supreme Court requires, when necessary to protect the life or health of a woman. Both the House and Senate passed bills fall woefully short of meeting this critical standard. This legislation provides only a partial exception to protect the life of a woman, and even this partial exception may be invoked only under a very narrow set of circumstances.

Furthermore, it fails to provide a clear, humane, and necessary exception when a woman faces a severe threat to her health and specifically her ability to have children in the future. This bill bans abortion both before and after viability, and continues to criminalize physicians for using their best medical judgment to protect the lives and health of women. I know the proponents continue to argue that the Senate amendment protects physicians from criminal sanctions in lieu of State action, but it is only a fig leaf which does not preclude criminal prosecution. In short, this legislation sets the dangerous precedent of allowing government to dictate medical procedures and practices to doctors, taking away the authority of a physician to select the best medical procedure for protecting a woman's life and

health. This bill substitutes a politician's judgment for that of a physician.

Many of us are troubled by the procedure H.R. 1122 seeks to outlaw, yet believe it is dangerous and wrong to ban a medical procedure that in some circumstances represents the best hope for a woman to avoid serious risk to her health, including her future ability to bear children. Therefore we have attempted to offer a compromise that is consistent with the Supreme Court's rulings on the difficult issue of abortion. This bipartisan bill, which was never debated on the floor—in fact was never allowed to be debated—would ban all late-term abortions, not just one procedure, and also provide a necessary exception when there is a serious threat to the woman's life or health. This compromise bill is consistent with the Supreme Court's *Roe versus Wade* decision and subsequent rulings. It is consistent with the State law in 40 States, including my State of Texas, as well as the District of Columbia. In Texas, as in other States, late-term abortions are banned except when the woman's life or health is threatened. I believe this bipartisan compromise is consistent with the views of the American people. And I believe it is the right and humane thing to do. That is the approach this legislation should take as well, but I guess it is not the politic thing to do and that is why we are at this point today. The legislation before us today is, unfortunately, not about stopping a particular procedure, but about politics.

We will once again hear a lot of debate today about how often this procedure is performed. But this issue isn't about numbers. It is about each individual woman who faces the awful choice of what to do if she is told that her life, health, or ability to bear children is endangered by her pregnancy. The decision about what medical treatment and procedures are best for that woman should be made by her and her doctor, not the Congress of the United States.

Mr. CONYERS. Mr. Speaker, imagine that you—or your wife—or your daughter, learned when she is 7 months pregnant that the fetus had a lethal neurological disorder and all of its vital organs were atrophying. After consulting with specialists and being told that the pregnancy is seriously jeopardizing the mother's health, and possibly her life, you are told that an intact D&E procedure has the best chance of preserving the mother's health and her ability to become pregnant again.

Or imagine that the mother is 32 weeks pregnant when she learns that the baby has no brain. The fetus has no chance of survival. The mother is diabetic, so a C-section and induced labor are more dangerous to her health and reproductive capacity than an intact D&E procedure.

Would you want 435 politicians to tell you—or your wife—or your daughter, the type of medical procedure she could use in this painful situation? Should Congress be able to determine whether a woman will lose her capacity to reproduce and bear children? Well that is precisely the situation that Coreen Costello and Vicki Stella were in. And if we adopt this bill, we will be telling many, many other women that Washington knows best when it comes to terminating pregnancies that have resulted in tragic circumstances.

H.R. 1122 is unconstitutional, because they contain no exception providing for the physical health of the mother. The Senate amendments on which we are voting today do nothing to correct that problem with the bill. *Roe versus Wade*, and its progeny, clearly hold that a woman's right to protect her life and health, in the context of reproductive choice, trumps the government, as big brother, in its desire to regulate.

And recently, several similar State statutes banning this procedure have been found unconstitutional. In fact, in my home State of Michigan, on July 31, 1997, Judge Gerald Rosen struck down Michigan's partial-birth abortion ban, finding that the definition of partial-birth was so vague that doctors lacked notice as to what abortion procedures were banned. Moreover, the court found that the State law unduly burdened women's ability to obtain an abortion. It is clear that H.R. 1122 and the Senate amendments violate that well established constitutional law long-settled by *Roe*.

The majority will try to tell you that this bill is OK, because they have the support of the American Medical Association. But don't let them fool you. The AMA had consistently remained neutral on this issue, and did not take a position on the bill when it was first introduced in 1995. And in mid-May of this year, the AMA stated that it did "not support any [abortion] legislative proposals at this time."

Yet, within weeks, the AMA board changed its position. Just like that. Why? Well, no one will really ever know, but isn't it surprising that the very day that the AMA announced its switcheroo, its executive vice president, P. John Seward, sent an eight-page letter to NEWT GINGRICH that lists the AMA requests in the budget negotiations concerning Medicare spending. In that letter, the AMA laid out a detailed plan to stall or minimize any cuts that might come from physicians. All on the same day that the organization decided suddenly to support the partial-birth abortion bill. Well, well. So don't let them fool you. There was no substantive reason the AMA decided to vote for the bill. It was just another one of those political games.

Yesterday, the minority testified before the Rules Committee seeking an open rule that would make in order two amendments dealing with the physical health of the mother. But our request was denied, and neither amendment was made in order. The first alternative, offered by Mr. HOYER, would ban post-viability abortions unless a physician certifies that continuing of the pregnancy would threaten the woman's life or risk grievous injury to her physical health. The second alternative, an amendment offered by Ms. LOWEY, would provide that the restriction on abortion procedures in the bill would apply only to post-viability abortions and include exceptions to preserve the life of the woman or to avert serious adverse health consequences to the woman.

Both of these amendments comport with the standard established in *Roe* that the health of the mother should not be jeopardized in any circumstance. Either of them would have made the underlying amendment constitutional and the President would have signed it. But the President cannot, and will not, sign an unconstitutional bill that does not protect a moth-

er's health, and has promised to veto this legislation if it passes.

Of course, the Republican leadership has little interest in developing a credible and serious constitutional proposal that could be signed into law. Instead, they prefer a wedge issue that can divide the American people. That's why they wouldn't make a single amendment concerning health in order.

But H.R. 1122 has no health exception, and we are led to believe that the reason is because its authors have determined that under no possible condition is a mother's health—no matter how serious—to be equated with the potential life of a fetus. To them, the partial birth abortion ban is merely a means of preventing any and all abortions, even where the mother's health is in jeopardy. But the reality is, the bill will do absolutely nothing to reduce the number of abortions performed in this country. Zero. It will only criminalize physicians for pursuing the safest alternative in dealing with a very painful, difficult, and terrifying circumstance when a pregnancy has gone bad, and the mother's physical health is in jeopardy.

Let's take the politicians out of this intensely personal issue. When it comes to a woman's life or health, Washington doesn't always know best.

Mrs. CHENOWETH. Mr. Speaker, I rise today in strong support of H.R. 1122, the Partial-Birth Abortion Ban Act. For over 2 years the abortion industry has conducted a systematic campaign of falsehoods and misinformation about the nature of partial-birth abortion.

Apologists for this abominable practice have attempted to raise a fog of mendacity during our deliberations.

Today we will hear that partial-birth abortions are extremely rare—only about 500 are performed in a year. We will also hear that partial-birth abortions are safe, and absolutely necessary to protect a woman's health.

Mr. Speaker, this information is completely false and an outright lie.

The truth can't be changed no matter how many times it's misrepresented. I would like to remind my colleagues of a leading abortion advocate, along with others in the abortion industry, who knowingly lied about the real reasons women seek partial-birth abortions.

Mr. Speaker, this procedure is medieval, and so is the logic of those who advocate and apologize for it.

The fog has been pierced and the truth has come to light. What everyone can clearly see today, Mr. Speaker, is that partial-birth is a practice that exposes abortion for what it truly is, the killing of an infant.

This debate is not about when life begins, for the infants targeted by this procedure are mostly alive. This debate is over a matter of inches.

And Mr. Speaker, I submit that the constitutional right to life has jurisdiction over those inches.

Our system of laws, our American heritage, is based on the idea that people have certain God-given rights. Those rights are life, liberty, and the pursuit of happiness.

As lawmakers we have a responsibility to protect the lives of our citizens, in this case, the very youngest, most vulnerable of American citizens.

I urge my colleagues to stand against this hideous, repugnant practice.

Let us stand up for a good principle and let us stop partial-birth abortion now.

Mrs. MALONEY of New York. Mr. Speaker, I rise today in opposition to this oppressive, extremist legislation. The American College of Obstetrics and Gynecology has called this ban "inappropriate, ill-advised, and dangerous." I call it an outright assault on women's lives.

Let's put this in perspective. There were more than 50 anti-choice votes in the 104th Congress. There have been over 20 anti-choice votes thus far in the 105th Congress. Choice opponents have said they intend to ban abortion procedure by procedure, and this bill is another step down that slippery slope.

President Clinton has said he would support a ban that includes exceptions to protect the life and health of the mother. Why is it so hard for so-called pro-life zealots to allow for compassionate exceptions, exceptions that could save a mother's life and perhaps her future fertility? The Rules Committee, by taking away our right to amend, refuses to allow us to include anything that would provide the safest, most compassionate way to handle a pregnancy that has no hope.

Let me remind my colleagues of the recent real-life trauma suffered by Coreen Costello. She came to Congress to tell her heart-wrenching story. A conservative, pro-life mother of two, Coreen and her family were devastated to learn that a lethal disease left their much-wanted, unborn daughter unable to survive outside the womb. Coreen attempted to carry the pregnancy to term, but the fetus' body stiffened and wedged dangerously into her body. Under this bill, the critical intact D&E procedure could not have been performed. This bill would have sacrificed Coreen Costello and her future fertility to the politics of anti-choice extremists.

The issue is not how many women undergo this procedure, but how many women who, like Coreen Costello, have no other choice but this particular procedure. The few women who need this procedure deserve our support and sympathy, not congressionally mandated limitations on their medical choices. By not permitting compassionate exceptions to the ban on the late-term procedure, this bill slams the door on a family's future, on a mother's health, and on a mother's life.

This Congress has absolutely no business passing legal judgments on life-saving medical procedures. This Congress has absolutely no business interfering in the decisions made by a woman and her doctor. We should be outraged.

This Congress dares to make criminals of doctors who have taken an oath to save lives. This Congress dares to presume it can legislate this profoundly intimate decision. This Congress dares to protect the natural death of a fetus over the life of a woman, a mother, a wife. Congress has no place in this decision, and no place in these tragedies.

Mr. Speaker, we must protect women's constitutional right to choose. We must protect women's right to life. I urge my colleagues to vote against this amendment.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 262, the previous question is ordered.

The question is on the motion offered by the gentleman from Florida [Mr. CANADY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CANADY of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 296, nays 132, not voting 6, as follows:

[Roll No. 500]

YEAS—296

Aderholt	Doyle	Kelly
Archer	Dreier	Kennedy (RI)
Armey	Duncan	Kildee
Bachus	Dunn	Kim
Baesler	Ehlers	Kind (WI)
Baker	Ehrlich	King (NY)
Ballenger	Emerson	Kingston
Barcia	English	Klecicka
Barr	Ensign	Klink
Barrett (NE)	Etheridge	Klug
Barrett (WI)	Everett	Knollenberg
Bartlett	Ewing	Kucinich
Barton	Fawell	LaFalce
Bass	Flake	LaHood
Bateman	Foglietta	Lampson
Bereuter	Foley	Largent
Berry	Forbes	Latham
Bilbray	Fowler	LaTourette
Billrakis	Fox	Lazio
Bishop	Franks (NJ)	Leach
Bliley	Frelinghuysen	Lewis (CA)
Blunt	Gallely	Linder
Boehner	Ganske	Lipinski
Bonilla	Gekas	Livingston
Bonior	Gibbons	LoBiondo
Bono	Gilchrist	Lucas
Borski	Gillmor	Maloney (CT)
Boswell	Gingrich	Manton
Boyd	Goode	Manzullo
Brady	Goodlatte	Martinez
Bryant	Goodling	Mascara
Bunning	Gordon	McCollum
Burr	Goss	McCrery
Burton	Graham	McDade
Buyer	Granger	McHale
Callahan	Gutknecht	McHugh
Calvert	Hall (OH)	McInnis
Camp	Hall (TX)	McIntosh
Canady	Hamilton	McIntyre
Cannon	Hansen	McKeon
Castle	Hastert	McNulty
Chabot	Hastings (WA)	Metcalfe
Chambliss	Hayworth	Mica
Chenoweth	Hefley	Miller (FL)
Christensen	Hefner	Minge
Clement	Herger	Moakley
Coble	Hill	Mollohan
Coburn	Hilleary	Moran (KS)
Collins	Hinojosa	Moran (VA)
Combest	Hobson	Murtha
Condit	Hoekstra	Myrick
Cook	Holden	Neal
Cooksey	Hostettler	Nethercutt
Costello	Houghton	Neumann
Cox	Hulshof	Ney
Cramer	Hunter	Northup
Crane	Hutchinson	Norwood
Crapo	Hyde	Nussle
Cubin	Inglis	Oberstar
Cunningham	Istook	Obey
Danner	Jefferson	Ortiz
Davis (FL)	Jenkins	Oxley
Davis (VA)	John	Packard
Deal	Johnson (WI)	Pappas
DeLay	Johnson, Sam	Parker
Diaz-Balart	Jones	Pascarell
Dickey	Kanjorski	Paul
Dingell	Kaptur	Paxon
Doollittle	Kasich	Pease

Peterson (MN)	Sandlin	Stupak
Peterson (PA)	Sanford	Sununu
Petri	Saxton	Talent
Pickering	Scarborough	Tanner
Pitts	Schaefer, Dan	Tauzin
Pombo	Schaffer, Bob	Taylor (MS)
Pomeroy	Sensenbrenner	Taylor (NC)
Porter	Sessions	Thomas
Portman	Shadegg	Thornberry
Poshard	Shaw	Thune
Pryce (OH)	Shays	Tiahrt
Quinn	Shimkus	Trafficant
Radanovich	Shuster	Turner
Rahall	Siskisky	Upton
Ramstad	Skeen	Visclosky
Rangel	Skelton	Walsh
Redmond	Smith (MI)	Wamp
Regula	Smith (NJ)	Watkins
Reyes	Smith (OR)	Watts (OK)
Riggs	Smith (TX)	Weldon (FL)
Riley	Smith, Linda	Weldon (PA)
Roemer	Snowbarger	Weller
Rogan	Solomon	Weygand
Rogers	Souder	White
Rohrabacher	Spence	Whitfield
Ros-Lehtinen	Spratt	Wicker
Roukema	Stearns	Wolf
Royce	Stenholm	Young (AK)
Ryun	Strickland	Young (FL)
Salmon	Stump	

NAYS—132

Abercrombie	Frank (MA)	Nadler
Ackerman	Frost	Oliver
Allen	Furse	Owens
Andrews	Gejdenson	Pallone
Baldacci	Gilman	Pastor
Becerra	Green	Pelosi
Bentsen	Greenwood	Pickett
Berman	Gutierrez	Price (NC)
Blagojevich	Harman	Rivers
Blumenauer	Hastings (FL)	Rodriguez
Boehert	Hinchee	Rothman
Boucher	Hooey	Roybal-Allard
Brown (CA)	Horn	Rush
Brown (FL)	Hoyer	Sabo
Brown (OH)	Jackson (IL)	Sanchez
Campbell	Jackson-Lee	Sanders
Capps	(TX)	Sawyer
Cardin	Johnson (CT)	Schumer
Carson	Johnson, E. B.	Scott
Clay	Kennedy (MA)	Serrano
Clayton	Kennelly	Sherman
Clyburn	Kilpatrick	Skaggs
Conyers	Kolbe	Slaughter
Coyne	Lantos	Smith, Adam
Cummings	Levin	Snyder
Davis (IL)	Lewis (GA)	Stabenow
DeFazio	Lofgren	Stark
DeGette	Lowey	Stokes
DeLauro	Luther	Tauscher
Dellums	Maloney (NY)	Thompson
Deutsch	Markey	Thurman
Dicks	Matsui	Tierney
Dixon	McCarthy (MO)	Torres
Doggett	McCarthy (NY)	Towns
Dooley	McDermott	Velázquez
Edwards	McGovern	Vento
Engel	McKinney	Waters
Eshoo	Meehan	Watt (NC)
Evans	Meek	Waxman
Farr	Menendez	Wexler
Fattah	Millender-	Wise
Fazio	McDonald	Woolsey
Filner	Miller (CA)	Wynn
Ford	Mink	Yates
	Morella	

NOT VOTING—6

□ 1349

Messrs. FARR of California, TORRES, FORD, and Ms. SANCHEZ changed their vote from "yea" to "nay."

Mr. KENNEDY of Rhode Island and Mr. PAXON changed their vote from "nay" to "yea."

So the motion was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMERICAN LAND SOVEREIGNTY PROTECTION ACT

The SPEAKER. Pursuant to the order of the House of Tuesday, October 7, 1997, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 901.

□ 1352

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 901) to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands, with Mr. SUNUNU in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Tuesday, October 7, 1997, the Chair had been advised that the amendment regarding specific biosphere reserves would not be offered.

Pursuant to the order of the House of that day, no further amendments are in order.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of yesterday, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 5 offered by the gentleman from California [Mr. FARR]; amendment No. 51 offered by the gentleman from Minnesota [Mr. VENTO]; and an unnumbered amendment offered by the gentleman from California [Mr. MILLER].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 5 OFFERED BY MR. FARR OF CALIFORNIA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment No. 5 offered by the gentleman from California [Mr. FARR] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. Farr of California:

On page 10 of the bill, after line 8, insert the following:

"(d) Subsection (b) shall not apply to California Coastal Ranges Biosphere Reserve."

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 200, noes 226, not voting 7, as follows:

[Roll No. 501]

AYES—200

Abercrombie	Hamilton	Obey
Ackerman	Harman	Olver
Allen	Hastings (FL)	Ortiz
Andrews	Hefner	Owens
Baldacci	Hinchey	Pallone
Barcia	Hinojosa	Pascarell
Barrett (WI)	Holden	Pastor
Becerra	Hookey	Payne
Bentsen	Horn	Pelosi
Bereuter	Houghton	Peterson (MN)
Berman	Hoyer	Pomeroy
Billbray	Jackson (IL)	Porter
Blagojevich	Jackson-Lee	Poshard
Blumenauer	(TX)	Price (NC)
Bonior	Jefferson	Rahall
Borski	John	Ramstad
Boucher	Johnson (WI)	Rangel
Boyd	Johnson, E.B.	Reyes
Brown (CA)	Kanjorski	Rivers
Brown (FL)	Kaptur	Rodriguez
Brown (OH)	Kelly	Roemer
Capps	Kennedy (MA)	Rothman
Cardin	Kennedy (RI)	Roybal-Allard
Carson	Kennelly	Rush
Castle	Kildee	Sabo
Clay	Kilpatrick	Sanchez
Clayton	Kind (WI)	Sanders
Clement	Kleczka	Sandlin
Clyburn	Klink	Sanford
Condit	Kucinich	Sawyer
Costello	LaFalce	Saxton
Coyne	Lampson	Schumer
Cummings	Lantos	Scott
Davis (FL)	Leach	Serrano
Davis (IL)	Levin	Shays
DeFazio	Lewis (GA)	Sherman
DeGette	Lipinski	Skaggs
Delahunt	Lofgren	Skelton
DeLauro	Lowe	Slaughter
Dellums	Luther	Smith, Adam
Deutsch	Maloney (CT)	Snyder
Dicks	Maloney (NY)	Spratt
Dingell	Manton	Stabenow
Dixon	Markey	Stark
Doggett	Mascara	Stokes
Dooley	Matsui	Strickland
Doyle	McCarthy (MO)	Stupak
Edwards	McCarthy (NY)	Tanner
Engel	McDermott	Tauscher
Eshoo	McGovern	Thompson
Etheridge	McHale	Thurman
Evans	McKinney	Tierney
Farr	McNulty	Torres
Fattah	Meehan	Towns
Fazio	Menendez	Velázquez
Filner	Milender	Vento
Flake	McDonald	Visclosky
Foglietta	Miller (CA)	Waters
Ford	Minge	Watt (NC)
Frank (MA)	Mink	Waxman
Frost	Moakley	Wexler
Furse	Mollohan	Weygand
Gejdenson	Moran (VA)	Wise
Gilchrest	Morella	Woolsey
Gordon	Murtha	Wynn
Green	Nadler	Yates
Gutierrez	Neal	
Hall (OH)	Oberstar	

NOES—226

Aderholt	Blunt	Cannon
Archer	Boehert	Chabot
Armey	Boehner	Chambliss
Bachus	Bonilla	Chenoweth
Baessler	Bono	Christensen
Baker	Boswell	Coble
Ballenger	Brady	Coburn
Barr	Bryant	Collins
Barrett (NE)	Bunning	Combest
Bartlett	Burr	Conyers
Barton	Burton	Cook
Bass	Buyer	Cooksey
Bateman	Callahan	Cox
Berry	Calvert	Cramer
Billrakis	Camp	Crane
Bishop	Campbell	Crapo
Bliley	Canady	Cubin

Cunningham	Jones	Riley
Danner	Kasich	Rogan
Davis (VA)	Kim	Rogers
Deal	King (NY)	Rohrabacher
DeLay	Kingston	Ros-Lehtinen
Diaz-Balart	Klug	Roukema
Dickey	Knollenberg	Royce
Doolittle	Kolbe	Ryun
Dreier	LaHood	Salmon
Duncan	Largent	Scarborough
Dunn	Latham	Schaefer, Dan
Ehlers	LaTourette	Schaffer, Bob
Ehrlich	Lazio	Sensenbrenner
Emerson	Lewis (CA)	Sessions
English	Linder	Shadegg
Ensign	Livingston	Shaw
Everett	LoBiondo	Shimkus
Ewing	Lucas	Shuster
Fawell	Manzullo	Sisisky
Foley	Martinez	Sisk
Forbes	McCollum	Smith (MI)
Fowler	McCrery	Smith (NJ)
Fox	McDade	Smith (OR)
Franks (NJ)	McHugh	Smith (TX)
Frelinghuysen	McInnis	Smith, Linda
Gallegly	McIntosh	Snowbarger
Ganske	McIntyre	Solomon
Gekas	McKeon	Souder
Gibbons	Metcalfe	Spence
Gillmor	Mica	Stearns
Gilman	Miller (FL)	Stenholm
Goode	Moran (KS)	Stump
Goodlatte	Myrick	Sununu
Goodling	Nethercutt	Talent
Goss	Neumann	Tauzin
Graham	Ney	Taylor (MS)
Granger	Northup	Taylor (NC)
Greenwood	Norwood	Thomas
Gutknecht	Nussle	Thornberry
Hall (TX)	Oxley	Thune
Hansen	Packard	Tiahrt
Hastert	Pappas	Traffant
Hastings (WA)	Parker	Turner
Hayworth	Paul	Upton
Hefley	Paxon	Walsh
Herger	Pease	Wamp
Hill	Peterson (PA)	Watt (OK)
Hilleary	Petri	Weldon (FL)
Hobson	Pickering	Weldon (PA)
Hoekstra	Pickett	Weller
Hostettler	Pitts	White
Hulshof	Pombo	Whitfield
Hunter	Portman	Wicker
Hutchinson	Pryce (OH)	Wolf
Hyde	Quinn	Young (AK)
Inglis	Radanovich	Young (FL)
Istook	Redmond	
Jenkins	Regula	
Johnson, Sam	Riggs	

NOT VOTING—7

Gephardt	Johnson (CT)	Schiff
Gonzalez	Lewis (KY)	
Hilliard	Meek	

□ 1409

Mrs. KENNELLY of Connecticut and Mr. JOHN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. JOHNSON of Connecticut. Mr. Chairman, on rollcall No. 501, I was unavoidably detained. Had I been present, I would have voted "no."

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to the order of the House of yesterday, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 51 OFFERED BY MR. VENTO

The CHAIRMAN. The unfinished business is the demand for a recorded

vote on amendment No. 51 offered by the gentleman from Minnesota [Mr. VENTO] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 51 offered by Mr. VENTO:

Page 10, line 15, Following the word "special" insert the following: ", including commercial."

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 182, not voting 9, as follows:

[Roll No. 502]

AYES—242

Abercrombie	Farr	Lipinski
Ackerman	Fattah	Lofgren
Allen	Fazio	Lowey
Andrews	Filner	Luther
Baer	Flake	Maloney (CT)
Baldacci	Foglietta	Maloney (NY)
Barrett (WI)	Foley	Manton
Bass	Ford	Markey
Becerra	Fox	Martinez
Bentsen	Frank (MA)	Mascara
Berman	Franks (NJ)	Matsui
Berry	Frelinghuysen	McCarthy (MO)
Billirakis	Frost	McCarthy (NY)
Bishop	Furse	McCollum
Blagojevich	Ganske	McDermott
Blumenauer	Gejdenson	McGovern
Boehner	Gilchrist	McHale
Bonior	Gilman	McIntyre
Borski	Goode	McKinney
Boswell	Goodlatte	McNulty
Boucher	Gordon	Meehan
Boyd	Green	Meek
Brown (CA)	Gutierrez	Menendez
Brown (FL)	Guilfoyle	Metcalfe
Brown (OH)	Hall (OH)	Mica
Buyer	Hall (TX)	Millender
Camp	Hamilton	McDonald
Capps	Harman	Miller (CA)
Cardin	Hastings (FL)	Minge
Carson	Hefner	Mink
Castle	Hinche	Moakley
Chabot	Hinojosa	Mollohan
Clay	Holden	Moran (VA)
Clayton	Hooley	Morella
Clement	Horn	Murtha
Clyburn	Houghton	Nadler
Condit	Hoyer	Neal
Cook	Jackson (IL)	Oberstar
Costello	Jackson-Lee	Obey
Coyne	(TX)	Oliver
Cramer	Jefferson	Ortiz
Cummings	Johnson (CT)	Owens
Danner	Johnson (WI)	Pallone
Davis (FL)	Johnson, E.B.	Pascarella
Davis (IL)	Jones	Pastor
DeFazio	Kanjorski	Payne
DeGette	Kaptur	Pelosi
Delahunt	Kelly	Pomeroy
DeLauro	Kennedy (MA)	Portman
Dellums	Kennedy (RI)	Poshard
Deutsch	Kennelly	Price (NC)
Dicks	Kildee	Quinn
Dingell	Kilpatrick	Rahall
Dixon	Kind (WI)	Ramstad
Doggett	Kleczka	Rangel
Doyle	Klink	Reyes
Dreier	Klug	Rivers
Duncan	Kucinich	Rodriguez
Edwards	LaFalce	Roemer
Engel	Lampson	Rohrabacher
English	Lantos	
Eshoo	Leach	
Etheridge	Levin	
Evans	Lewis (GA)	

Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schumer
Scott
Serrano
Sherman
Siskisky
Skaggs
Skelton

Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Trafilant

NOES—182

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bilbray
Billey
Blunt
Boehner
Bonilla
Hunter
Bono
Hutchinson
Hyde
Ingalls
Istook
Jenkins
John
Johnson, Sam
Kasich
Kim
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Lazio
Lewis (CA)
Linder
Livingston
LoBlundo
Lucas
Manzullo
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker

Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Pryce (OH)
Radanovich
Hill
Redmond
Riley
Rogan
Rogers
Ros-Lehtinen
Royce
Ryun
Salmon
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tausin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MILLER OF CALIFORNIA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California [Mr. MILLER], on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MILLER of California:

On page 9 of the bill, beginning at line 1, strike all through the end of line 16, and renumber subsequent subsections accordingly.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 227, not voting 7, as follows:

[Roll No. 503]

AYES—199

Abercrombie	Fazio	Markey
Ackerman	Filner	Martinez
Allen	Flake	Mascara
Andrews	Foglietta	Matsui
Baldacci	Ford	McCarthy (MO)
Barrett (WI)	Frank (MA)	McCarthy (NY)
Becerra	Franks (NJ)	McDermott
Bentsen	Frelinghuysen	McGovern
Berman	Frost	McHale
Blagojevich	Furse	McKinney
Blumenauer	Gejdenson	McNulty
Bonior	Gilman	Meehan
Borski	Gordon	Meek
Boswell	Gutierrez	Menendez
Boucher	Hall (OH)	Millender
Boyd	Hamilton	McDonald
Brown (CA)	Harman	Miller (CA)
Brown (FL)	Hastings (FL)	Minge
Brown (OH)	Hefner	Mink
Capps	Hinche	Moakley
Cardin	Hinojosa	Mollohan
Carson	Holden	Moran (VA)
Castle	Hooley	Morella
Clay	Horn	Murtha
Clayton	Hoyer	Nadler
Clement	Jackson (IL)	Neal
Clyburn	Jackson-Lee	Oberstar
Conyers	(TX)	Obey
Costello	Jefferson	Oliver
Coyne	Johnson (CT)	Ortiz
Cramer	Johnson (WI)	Owens
Cummings	Johnson, E. B.	Pallone
Davis (FL)	Kanjorski	Pascarella
Davis (IL)	Kaptur	Pastor
DeFazio	Kennedy (MA)	Payne
DeGette	Kennedy (RI)	Pelosi
Delahunt	Kennelly	Pomeroy
DeLauro	Kildee	Porter
Dellums	Kilpatrick	Poshard
Deutsch	Kind (WI)	Price (NC)
Dicks	Kleczka	Rahall
Dingell	Klink	Ramstad
Dixon	Kucinich	Rangel
Doggett	LaFalce	Reyes
Doyle	Lampson	Rivers
Doyle	Lantos	Rodriguez
Edwards	Leach	Roemer
Ehlers	Levin	Rothman
Engel	Lipinski	Roukema
Eshoo	Lofgren	Roybal-Allard
Etheridge	Lowey	Rush
Evans	Luther	Sabo
Farr	Maloney (CT)	Sanchez
Fattah	Maloney (NY)	Sanders
Fawell	Manton	Sanford

NOT VOTING—9

Conyers
Cooksey
Diaz-Balart
Gephardt
Gonzalez
Hilliard
Lewis (KY)
Schiff
Towns

□ 1418

Mr. RYUN changed his vote from "aye" to "no."

Mr. INGLIS of South Carolina and Ms. HARMAN changed their vote from "no" to "aye."

So the amendment was agreed to.

Sawyer
Saxton
Schumer
Scott
Serrano
Shays
Sherman
Skaggs
Slaughter
Smith, Adam
Snyder
Spratt

Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Velázquez

Vento
Visclosky
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOES—227

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Billbray
Billrakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Foley
Forbes
Fowler
Fox
Gallegly
Ganske
Gekas

Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kobbe
LaHood
Largent
Latham
Lazio
Lewis (CA)
Lewis (GA)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker

Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Portman
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sandlin
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Siskis
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Gephardt
Gonzalez
Hilliard

Kasich
LaTourette
Lewis (KY)

Schiff

□ 1426

Mr. CRAMER changed his vote from "no" to "aye."

So the amendment was rejected.
The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Pursuant to the previous order of the House, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. SUNUNU, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 901), to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands, pursuant to the previous order of the House of October 7, 1997, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Pursuant to the order of the House of October 7, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 236, noes 191, not voting 6, as follows:

[Roll No. 504]

AYES—236

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr

Bartlett
Barton
Bass
Bateman
Berry
Billbray
Billrakis
Bishop
Bliley

Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady
Bryant
Bunning

Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Ensign
Everett
Ewing
Foley
Forbes
Fowler
Fox
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra

Holden
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Linder
Livingston
LoBiondo
Lucas
Manzullo
Martinez
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman

NOES—191

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (NE)
Barrett (WI)
Becerra
Bentsen
Bereuter
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson

Castle
Christensen
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyle
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley

Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gilchrest
Gillman
Gordon

Greenwood	Manton	Roybal-Allard
Gutierrez	Markey	Rush
Hall (OH)	Mascara	Sabo
Hamilton	Matsui	Sanchez
Harman	McCarthy (MO)	Sanders
Hastings (FL)	McCarthy (NY)	Sawyer
Hefner	McDermott	Saxton
Hinchey	McGovern	Schumer
Hinojosa	McHale	Scott
Hooley	McKinney	Serrano
Houghton	McNulty	Shays
Hoyer	Meehan	Sherman
Jackson (IL)	Meek	Skaggs
Jackson-Lee	Menendez	Slaughter
(TX)	Millender	Smith, Adam
Jefferson	McDonald	Snyder
Johnson (CT)	Miller (CA)	Spratt
Johnson (WI)	Minge	Stabenow
Johnson, E. B.	Mink	Stark
Kanjorski	Moakley	Stokes
Kaptur	Molohan	Strickland
Kennedy (MA)	Moran (VA)	Stupak
Kennedy (RI)	Morella	Tauscher
Kennelly	Murtha	Thompson
Kildee	Nadler	Thurman
Kilpatrick	Neal	Tierney
Kind (WI)	Obey	Torres
Klecza	Oliver	Towns
Klug	Ortiz	Velázquez
Kucinich	Owens	Vento
LaFalce	Pallone	Visclosky
Lampson	Pastor	Waters
Lantos	Payne	Watt (NC)
Leach	Pelosi	Waxman
Levin	Porter	Wexler
Lewis (GA)	Poshard	Weygand
Lipinski	Price (NC)	Wise
Lofgren	Rahall	Woolsey
Lowe	Reyes	Wynn
Luther	Rivers	Yates
Maloney (CT)	Rodriguez	
Maloney (NY)	Roukema	

NOT VOTING—6

Gephardt	Hilliard	Rothman
Gonzalez	Lewis (KY)	Schiff

□ 1446

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1031

Ms. CHRISTIAN-GREEN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1031.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from the Virgin Islands?

There was no objection.

CONFERENCE REPORT ON H.R. 2158,
DEPARTMENTS OF VETERANS
AFFAIRS AND HOUSING AND
URBAN DEVELOPMENT, AND
INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 261 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 261

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing

and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

Mr. LINDER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 261 waives all points of order against the conference report and against its consideration. The rule also provides that the conference report shall be considered as read.

The conference report for the VA-HUD and Independent Agencies Appropriations bill for fiscal year 1998 appropriates a total of \$68.5 billion for fiscal year 1998, which is \$1 billion below the President's request level.

As I mentioned in this House VA-HUD bill debate in July, this legislation continues to meet our obligations to our veterans. The conference report provides \$18.9 billion for the Department of Veterans Affairs' discretionary programs, \$17 billion for veterans' medical care, and \$272 million for veterans' medical research, including \$12.5 million for research related to Persian Gulf war illness. We owe a special debt of gratitude to all our veterans, and these appropriations are notable increases above the amounts the President requested.

I am also pleased that scientific research and our space program have been amply funded in this bill. We just marked the 40th anniversary of the launch of Sputnik, and with that in mind, I am pleased that the conferees have committed the United States toward a significant presence in space. The conferees have provided \$2.9 billion for the Space Shuttle Program, \$2.35 billion for the International Space Station, and \$13.6 billion for NASA, which is \$148 million more than the President requested.

I have one last point on the subject of science. I think it is very important to point out that this bill provides \$631 million for science and technology research at the Environmental Protection Agency, including \$49.6 million for particulate matter and ozone research. As proposed regulations are formulated by the EPA, it strikes me that it is high time we base these decisions on information from scientists calculated with scientific analysis.

EPA scientific research funding in this bill, especially funding directed for particulate matter and ozone research, is absolutely necessary at a time when the American people and American businesses face the prospect of additional regulations concocted without a shred of scientific inspection.

I want to commend the gentleman from California [Mr. JERRY LEWIS] and the ranking minority member, the gentleman from Ohio, [Mr. LOUIS STOKES] for the bipartisan manner in which they produced this conference report. It does not appear that there were any major complications during the conference with the Senate, and I am certain their good relationship helped to assure this very productive conference.

I urge my colleagues to support the rule so that we may proceed with general debate and consideration of the merits of this very important bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I thank my colleague, the gentleman from Georgia [Mr. LINDER], for yielding me the customary half-hour and I yield myself such time as I may consume.

Mr. Speaker, I want to congratulate my colleagues the gentleman from Ohio [Mr. STOKES] and the gentleman from California [Mr. LEWIS] for their excellent work on this conference report. I have had the pleasure of working with the gentleman from California and the ranking member on some small parts of this bill and I can tell my colleagues they have done yeoman's work.

They have managed to fully fund American housing and veterans programs as well as the Federal emergency management program and also NASA. The conference committee has done an excellent job taking care of our public housing programs. As someone who grew up in public housing, I can tell my colleagues it is a very important program. It does wonderful things for low-income families, particularly families with children, and I am pleased to see the conference committee agreed to support it.

Mr. Speaker, this country is facing a terrible loss of affordable housing. Three million American families just cannot find affordable housing, and the numbers are climbing. In response to this, the conference report renews all expiring section 8 contracts and preserves affordable housing at a time when we are losing affordable housing. It helps ensure that good housing will still be available to low-income families, it saves money, and it is a very well thought out policy.

The conference report also funds HOME grants to cities and States for building affordable housing. And one of these HOME grants went to the City of Brockton, MA, in my district, which helped 200 people buy homes last year. This year this program should help even more people.

The conference report also helps take care of America's veterans by providing over \$17 billion for veterans' medical care and \$15.5 million for research on Persian Gulf war illnesses.

So thanks to this conference report, the Consumer Product Safety Commission is fully funded, as is the Federal

Emergency Management Association. It also funds the Environmental Protection Agency, one of my personal favorites, which helps keep our water and our air clean.

Once again, Mr. Speaker, I just want to congratulate my colleagues for putting together such an excellent bill. I urge my colleagues to support this rule.

Mr. Speaker, I reserve the balance of my time.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Ms. PRYCE], my colleague on the Committee on Rules.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman from Georgia, my friend, for yielding me this time, and I rise in support of this rule and the VA-HUD conference report.

I would like to commend the gentleman from California [Mr. LEWIS], the chairman, and the gentleman from Ohio [Mr. STOKES], the ranking member, for ably guiding the VA-HUD appropriations bill through conference. The final bill they produced speaks very well of their efforts.

This year's fiscally responsible bill shaves \$1 billion off the President's request and it successfully prioritizes spending to ensure that we fulfill our responsibility to our Nation's veterans, provide needed housing to less fortunate Americans, keep the exciting discoveries of the U.S. space program alive, and provide adequate resources to keep America's air clean and water safe.

There are many accomplishments in this legislation worth extolling, but I want to focus on a portion of the bill that is of special significance to me as a former member of the Subcommittee on VA, HUD and Independent Agencies. Since the 1970's, section 8 rental assistance contracts have helped provide private low-cost housing to seniors, disabled persons, and low-income families. However, these 20-year contracts have begun to expire, leaving millions of Americans unsure of the future of their housing.

The funding in this bill to renew expiring section 8 housing contracts is both important and necessary. However, I have long maintained that the program itself needs to be restructured to bring down the high cost of section 8 housing. In that vein, I joined with my friend from Virginia [Mr. MORAN] to sponsor legislation this year to achieve such reforms. Therefore, I am very grateful to the chairman, the gentleman from California, the gentleman from New York [Mr. LAZIO], and our colleagues in the Senate for their hard work to forge an agreement on the section 8 reforms included in this legislation. I know it was not easy, but I am convinced that it was well worth their efforts.

The timely reforms in this bill will ensure the stability of section 8 prop-

erties so that affordable housing will continue to be available for our citizens with the greatest need. The solutions this legislation provides will save hundreds of millions of taxpayer dollars while putting the power to reform the program where it belongs, right in the local communities.

For this achievement, and for the many good things in the VA-HUD conference report, I urge my colleagues to support this rule and move towards swift passage of the underlying legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise today in reluctant support of the fiscal year 1998 VA-HUD appropriations bill.

I wish to thank the gentleman from Ohio [Mr. STOKES], my good friend and the ranking member, and the gentleman from California [Mr. LEWIS], the chairman, for their support in funding the International Space Station project and a robust NASA budget as well as ensuring quality public housing for our Nation's low-income families.

In particular, I appreciate the committee including a comprehensive reform of the section 8 program. While issues regarding the mark-to-market program remain, it is important that the Congress take this initial step to reform the program, and I look forward to the opportunity when the Committee on Banking and Financial Services, on which I serve, moves forward to try to address those concerns as well as possibly the Committee on Ways and Means, which may also have to address some of the issues.

However, Mr. Chairman, during previous consideration of this legislation in the House, both in this Congress and in the 104th Congress, I had successfully offered an amendment to prohibit the Environmental Protection Agency from using funds to allow for the importation of polychlorinated biphenyls, or PCB's, to be disposed of, including by incineration, in the United States. This directly affects my district as well as other districts around the country.

While the amendment that I offered was accepted by the House on both occasions, it was unfortunately struck in the conference, and I very much regret this decision by the conference committee once again.

□ 1500

Mr. Speaker, the EPA issued a final rule on March 18, 1996, to allow the importation of large quantities of PCB waste from foreign nations, reversing an EPA ban that has been in place since 1980. Later that same month, the Sierra Club Legal Defense Fund initiated a legal challenge to the EPA deci-

sion allowing the importation on PCB's based on the principle that it violated the Toxic Substances Control Act of 1976.

On July 8 of this year, the Ninth Circuit U.S. Court of Appeals ruled in a unanimous decision that the EPA had violated the Toxic Substances Control Act of 1976. Chief Judge Proctor Hug wrote, "EPA lacked the statutory authority to promulgate the Import Rule, which violates the PCB manufacture ban contained in the Toxic Substances Control Act."

I believe it is necessary to codify this decision in the event it is reversed on appeal, and that is what my amendment had sought to do. However, for now, the court action will forestall the further importation of this dangerous chemical.

PCB's are a dangerous class of chemicals that collect in the body and cause a range of adverse health effects including cancer, reproductive damage, and birth defects. When incinerated, PCB's release dioxin, one of the most toxic chemicals known. PCB's accumulate in the environment and move toward the top of the food chain, contaminating fish, birds, and ultimately humans. They are the only chemical Congress designated for phaseout under the Toxic Substances Control Act of 1976.

Mr. Speaker, I am disappointed that my amendment was not included in the conference. I assure the chair and the ranking member that I will be back next year again to pursue this issue because I think it is important both to my constituents and to the country. I do not think that PCB's are a good or a service that we ought to be importing into the United States.

But in light of the other issues in this bill, I do rise in support of the remainder of the bill and intend to vote for it.

I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding me the time.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. LAFALCE].

Mr. LAFALCE. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding me the time.

Mr. Speaker, I rise in support of H.R. 2158, a bill making appropriations for fiscal year 1998 for VA, HUD, and independent agencies. I am pleased that the HUD budget has not suffered dramatic cuts in this era of the balanced budget as it has in prior years.

Most of the administration's budget requests have been met in this conference report for HUD's core programs, for public housing, for CDBG, for drug elimination grants, for HOME, for McKinney homeless assistance grants, et cetera. Although I would support higher funding levels for HUD

programs, I believe the conference report represents a winning hand, considering the cards that we have been dealt.

Two issues deserve particular mention: The first, the lack of funding for new section 8 certificates; and the second, the very complicated issue of section 8 portfolio restructuring.

On the first subject, for the third year in a row, there is absolutely no new money for incremental section 8 housing assistance even in the face of continued strong evidence that greater numbers of very low-income families and working poor are finding it ever more difficult to find affordable housing. Some 5.3 million Americans have worst case housing needs, and that number grows by leaps and bounds. It is most regrettable that this conference report was unable to fund any new section 8 assistance.

On the second issue, section 8 renewals and mortgage restructuring, I applaud the approach of appropriators and the administration for their hard work and mutual efforts. The Committee on Appropriations took the most critical step in this bill. It provides sufficient funding for all renewals coming due in 1998, and, working with the authorizing committee, they took the necessary steps to provide the legislative framework for renewing section 8 contracts.

This was not done during the reconciliation process, but the appropriations bill provides housing policy that is good Federal policy, preserves affordable housing, and saves money all at the same time.

I believe that we have balanced all the disparate interests of the tenants, owners, communities, and the Federal Government in preserving as much affordable housing as possible, reducing the costs to the Federal Government, reasonably protecting the financial investments of the owners, and protecting the tenants from unnecessary displacement.

This is one of the most critical problems facing the administration and the Congress. It has been solved equitably for all concerned and saved \$500 million for other domestic priorities in the process. So, on balance, this is a good bill, considering our budget constraints, and I would urge my colleagues to support it.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. EVANS].

Mr. EVANS. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding me the time.

Mr. Speaker, I urge my colleagues to adopt the rule and the conference report on VA, HUD, independent agencies appropriations for fiscal year 1998.

As I noted in July when this bill was considered by the House, I remain concerned about the adequacy of VA

health care resources, not only in the next fiscal year but in the next future years as well.

As most Members know, appropriations for VA health care have been essentially frozen. As years pass on, inflation will erode the value of this funding. Proponents of this freeze in appropriations for VA health care claim that allowing VA medical centers to keep VA copayments and third-party collections will replace appropriated funds. In its report earlier this year, however, the House Appropriations Committee noted that the accuracy of each year's estimated third-party collection effort is unknown.

With regard to the VA having sufficient resources to meet the health care needs of our Nation's veterans, the House has failed to enact H.R. 1362, which authorizes a 3-year demonstration program to provide for discounted Medicare reimbursement for health care services provided to certain Medicare-eligible veterans at selected VA health care facilities.

Dr. Kenneth Kizer, the under secretary for health, has recently told Members that enactment of this legislation is critical to the Department of Veterans Affairs. According to Dr. Kizer, without enactment of this legislation this year, VA will not have the resources needed to provide health care to veterans in future years.

H.R. 1362 was reported favorably by the Committee on Veterans' Affairs in July but has languished in the House since then. I urge its favorable consideration by the House as soon as possible.

I am pleased that the conferees have recognized the value of VA research not only to veterans but to all Americans and have appropriated a total of \$272 million for VA medical research. This is a sound and wise investment.

The conference also provides an additional \$8 million to meet the needs to help the VA to achieve the year 2000 computer compliance. Achieving this goal is critical to the delivery of health care and other earned benefits to our Nation's veterans, their dependents, and survivors.

So I want to thank the gentleman from Louisiana [Mr. LIVINGSTON], chairman of the full Committee on Appropriations, and the gentleman from Wisconsin [Mr. OBEY], the Democratic ranking member, for their support. Likewise, I want to salute the chairman and Democrat of the Subcommittee on VA, HUD and Independent Agencies, the gentleman from California [Mr. LEWIS], and Carl Stokes for their efforts on behalf of veterans.

Again, I urge my colleagues to support this rule and adoption of the conference report.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN of Virginia. Mr. Speaker, I want to thank the gentleman from

Massachusetts [Mr. MOAKLEY], my friend and the ranking Democrat on the Committee on Rules, for yielding me the time.

Mr. Speaker, as the gentlewoman from Ohio [Ms. PRYCE] said earlier, the bill that we have been working for for some time that deals with project-based section 8 assistance is incorporated, virtually in its entirety, into this appropriations bill. I think this is a very important step, as the principal focus of our bill is to reduce the cost of the section 8 program and provide the certainty of continued housing assistance for those in need.

Our reform proposal reins in exorbitant rental contracts that can reach 180 percent of the fair market rent, and it helps kick the bad owners out of the program. Existing debts on all FHA-insured property are restructured to lower operating and maintenance costs and bring Federal rent subsidies down to local market levels. In return, owners of multifamily housing must agree to maintain the property for low-income tenants for at least another 20 years.

I think this proposal is a thoughtful and reasonable response to a complex and very difficult issue. So I was very pleased to see almost all of the elements of this proposal incorporated into this appropriations bill.

I want to particularly thank the gentlewoman from Ohio [Ms. PRYCE], my copatron, for her tireless work to make sure that this issue got resolved this year, the gentleman from California [Mr. LEWIS], the gentleman from Ohio [Mr. STOKES], the gentleman from New York [Mr. LAZIO], and the gentleman from Massachusetts [Mr. KENNEDY], of the authorizing committee and the House leadership for permitting this issue to be resolved through the appropriations process.

Hopefully, we will be able to start a new chapter in low-income housing programs that meet the needs of low-income families, the elderly, and the disabled with decent, fiscally responsible, and affordable housing.

I thank the chairman, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding me the time, the gentleman from Georgia [Mr. LINDER], I thank the Committee on Rules, and of course the chair and minority ranking member of the Committee on Appropriations. I think this is a very important step and certainly plan to vote for the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I thank the distinguished ranking member, the gentleman from Massachusetts [Mr. MOAKLEY], for yielding me the time.

I rise, Mr. Speaker, with very, very strong concerns and reservations about this VA, HUD, independent agencies appropriations bill for fiscal year 1998.

I oppose this conference report due to funding increases for the international space station above the congressionally approved and NASA agreed to cap at \$2.1 billion per year. Now that is not enough; \$2.1 billion is not enough. We have to go in this bill much above that, to \$2.35 billion, for the space station.

Now, certainly, I have argued with my colleagues, Republicans and Democrats, in this body that a \$100 billion space station is too much, that we do not return the science, we do not return good science or good economics for our taxpayers. Now we are going up to a \$2.35 billion per year space station, and last month the primary contractor estimated cost overruns to exceed \$600 million, and NASA guessed \$800 million cost overruns.

This means that we have to go into other very, very worthwhile important programs, Space Shuttle safety, education grants, a host of other programs, and take money away from good NASA programs that are working to reward cost overruns.

I think that we need to take a very, very careful look at this budget, Mr. Speaker, and enforce some physical discipline. We have fits around here when we have \$600 toilet seats. This is a \$600 million cost overrun.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. GREEN].

Mr. GREEN. Mr. Speaker, I rise, obviously, in support of the rule. But let me talk about a little problem I have with some of the reforms that the Housing and Urban Development Department is doing.

I have had an ongoing dialog with HUD over the last 4 areas, and my main point of discussion is making sure that in the Houston area HUD offers all the program areas that serve the people in Houston, TX, the fourth largest city in the country, which they do not.

The problem we have now is, HUD has a reform plan to refocus, streamline, and downsize the Department. In our Houston office we have over 100 HUD employees now. Now I hear that we are going to reduce them to 14. So those 14 are going to have to do the work of those over 100 employees.

We do not even have all the program areas offered now in the Houston office, and yet, in this reorganization that has been going on now for a number of years, we are not going to have all the program areas offered in Houston. If they are offering them with 14 employees, they are not going to be able to do the job.

HUD now, under the HUD 20/20 reform plan, they have developed two mission statements. The first is to empower people in communities to improve themselves and succeed in today's time of transition, and the second is to restore public trust by achieving and demonstrating competence.

These are admirable goals, but I am not sure that releasing 85 employees or staffers will help achieve those goals and make HUD effective in the Houston markets. Again, this is not the first time I have said this and it will not be the last. I would hope Secretary Cuomo would be able to sit down with those of us who represent the Houston area and make sure that HUD can provide all the programs in Houston even if it is with reduced employees, but do not make it impossible.

Mr. MOAKLEY. Mr. Speaker, I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1515

Mr. LEWIS of California. Mr. Speaker, pursuant to House Resolution 261, I call up the conference report on the bill (H.R. 2158), making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 261, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 6, 1997 at page H8323.)

The SPEAKER pro tempore. The gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES] each will control 30 minutes.

The Chair recognizes the gentleman from California [Mr. LEWIS].

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the conference report on H.R. 2158, and that I may include tables, charts and other extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we bring H.R. 2158 to the floor, I would like the Members to know that while this is a very complex bill that involves appropriations for fiscal year 1998 for agencies such as all of our public housing programs, for issues that flow around the Environmental Protection Agency, issues that

are very important to the future of our general economy, this very controversial bill comes to us in a circumstance where these agencies are faced with the overall effort to reduce the pattern of growth of spending for the Federal Government. So we are dealing with a shrinking dollar circumstance and very important and competitive programs, and yet this bill comes to us in a way that very much reflects the best of bipartisan work in the House.

For that work I want to pay special tribute to my colleague and friend, the gentleman from Ohio [Mr. STOKES], as well as his very fine staff that has cooperated so much with us in developing this bill. Without their support we would have perhaps a lot of controversy today, but instead I think we have before us truly a model reflecting the way the Committee on Appropriations, working with their authorizing committees, should present bills on the House floor.

I think the Members should know that in that environment, so many important issues competing with one another, about 90 to 95 percent of our bill has not been authorized for one reason or another. That is, the authorizing committees have not, over several years in some instances, been able to move bills through the House and the Senate and send those bills to the President's desk for signature. So the bill finds itself in a position where much of the language in the bill reflects some of the priorities of our authorizers as well, as we go about trying to deal with the competition for dollars between these various programs.

Let me illustrate just a bit of that for the Members. The fiscal year 1998 VA-HUD bill reaffirms our commitment to serving veterans, protecting the environment, providing housing for the poorest of the poor, and ensuring America's continued leadership in space.

In spite of the difficult challenges in putting this conference report together, the final product represents a balance of tough choices as well as common interests.

The bill meets the important test of keeping the appropriations process on track to meet the vital objective of attempting to balance the budget shortly after the turn of the century. I might add that since the fiscal year 1995 rescission bill, this subcommittee has saved the American taxpayer nearly \$25 billion from the President's request. Yes, I say some \$25 billion as we make our contribution to reducing the rate of growth as we go forward with these very important programs.

Let me take just a moment to list some of the bill's funding highlights. Within the Department of Veterans Affairs, we have provided a total agency budget of \$40.452 billion. We have increased the Medical Care account over the President's request by roughly \$100

million to a total of \$17.661 billion. That is \$648 million over the 1997 level. We have increased the Medical and Prosthetic Research account by \$38 million over the President's request to a total of \$272 million.

Within the Department of Housing and Urban Development, we have provided a total agency budget of \$24 billion.

Our bill increases housing for the elderly, section 202, by \$345 million over the President's request to a total of \$645 million. This measure also increases housing for the disabled by \$20 million over the President's request to a total of \$194 million.

We have increased funding for the Community Development Block Grant programs by some \$75 million to a total of \$4.675 billion. Furthermore, we funded the HOME investment partnership program at \$1.5 billion. We also funded the Native American Housing Block Grant program at \$600 million.

Finally, we provided the funding necessary to renew expiring Section 8 contracts, which have been discussed by more than one of my colleagues today. We have also accomplished a critical goal of both bodies, as well as the administration, by reducing Federal subsidized rent under Section 8 rental assistance programs to more closely resemble market rates. In fiscal year 1998 alone, this provision saves the committee nearly \$560 million. Further, it fairly addresses the concerns of residents and taxpayers, as well as building owners who, after all, entered into this partnership with the Federal Government in the first place.

Within the Environmental Protection Agency, we have provided a total agency budget of \$7.363 billion, an increase of \$564 million over the 1997 level.

We increased the Superfund program by over \$100 million over the 1997 level to nearly \$1.5 billion, and provided also \$650 million in additional Superfund funding which is subject to the enactment of an authorization bill in the year ahead of us.

Further, as a result of recently announced National Ambient Air Quality

Standards, we have provided \$49.6 million for particulate matter research, as an underpinning to try to make sense out of those standards and the impact they may very well have over time on our economy.

We have funded State and Tribal Assistance Grants at \$3.2 billion. This represents a \$300 million increase over fiscal year 1997 levels for important Safe Drinking Water and Clean Water programs.

Within the National Aeronautics and Space Agency, we have provided a total agency budget of \$13.648 billion. This amount includes \$5.5 billion for the Human Space Flight account, \$5.69 billion for the Science, Aeronautics, and Technology account, and nearly \$2.4 billion for Mission Support.

We have provided the National Science Foundation with a total agency budget of \$3.429 billion.

The Federal Emergency Management Agency has been funded at \$829 million, including \$320 million for the Disaster Relief account in that package.

In closing, I want to express one more time my thanks to my ranking member and good friend for continuing to work in a spirit of bipartisanship and goodwill on this very important measure. Over the last several years the gentleman from Ohio [Mr. STOKES] and I have worked very closely together in the finest tradition of the Committee on Appropriations, and I am grateful to him for that.

I also want to thank and commend our very capable staff, beginning with Mr. Del Davis, who has been of great assistance to Mr. STOKES; to Dave Reich as well, Fredette West, Frank Cushing, Paul Thomson, Tim Peterson, Valerie Baldwin, Rose Roberts, a detailee who is spending time with us and carrying on very important assistance, Alex Heslop, Dave LesStrang and Jeff Shockey for their hard work and long hours in putting this diverse and complex bill together.

Mr. Speaker, I wish to note that within the Statement of Managers there are a few corrections that we want to clarify at this point, before I

yield to the gentleman from Ohio [Mr. STOKES], if my colleagues will be patient with me. I wish to note that there are certain items contained within the Statement of Managers that were either printing errors or were inadvertently left out of the final draft.

Regarding particulate matter research under the EPA's Science and Technology account: on page 114 of the Conference Report and Statement of Managers, in the fourth line on the last paragraph, the word "near" should be included so the sentence would read, "Initiate key near-term research."

Regarding section 107 grants under Housing and Urban Development, the conferees included some \$32 million. However, the breakdown of the funding levels was inadvertently omitted from the Statement of Managers.

The breakdown is as follows: \$4 million for technical assistance, \$6.5 million for Community Development Work Study, with a \$3 million set-aside for Hispanic-serving institutions; \$500,000 for the National Center for Revitalization of Central Cities; \$7.5 million for the Community Outreach Partnership program; \$7 million for Insular Areas; and \$6.5 million for Historically Black Colleges and Universities.

Regarding Economic Development projects also under HUD, the fourth item down on page 96 of the Statement of Managers should be in the town of Arab, Alabama, not Arab, Illinois.

Regarding including the Hazardous Substance Superfund under EPA, the conferees failed to note in the Statement of Managers that \$2.5 million is to be made available for the Gulf Coast Hazardous Substance Research Center.

Regarding NASA's Science, Aeronautics and Technology account list of projects on page 132, the Statement of Managers should include the following, which were inadvertently omitted: \$2 million for the Bishop Museum in Honolulu, Hawaii.

Mr. Speaker, I include charts and graphs pertaining to my statement at this time in the RECORD:

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2158)

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I						
Veterans Benefits Administration						
Compensation and pensions.....	18,671,259,000	19,932,997,000	19,932,997,000	19,932,997,000	19,932,997,000	+ 1,261,738,000
Supplemental (P.L. 105-18).....	928,000,000					-928,000,000
Readjustment benefits.....	1,377,000,000	1,366,000,000	1,366,000,000	1,366,000,000	1,366,000,000	-11,000,000
Veterans insurance and indemnities.....	38,970,000	51,360,000	51,360,000	51,360,000	51,360,000	+ 12,390,000
Veterans housing benefit program fund program account (indefinite).....		192,447,000	192,447,000	192,447,000	192,447,000	+ 192,447,000
(Limitation on direct loans).....		(300,000)	(300,000)	(300,000)	(300,000)	(+ 300,000)
Administrative expenses.....		160,437,000	160,437,000	160,437,000	160,437,000	+ 160,437,000
Guaranty and indemnity program account (indefinite).....	158,843,000					-158,843,000
Administrative expenses.....	105,226,000					-105,226,000
Loan guaranty program account (indefinite).....	14,091,000					-14,091,000
Administrative expenses.....	33,810,000					-33,810,000
Direct loan program account (indefinite).....	30,000					-30,000
(Limitation on direct loans).....	(300,000)					(-300,000)
Administrative expenses.....	80,000					-80,000
Education loan fund program account.....	1,000	1,000	1,000	1,000	1,000	
(Limitation on direct loans).....	(3,000)	(3,000)	(3,000)	(3,000)	(3,000)	
Administrative expenses.....	195,000	200,000	200,000	200,000	200,000	+ 5,000
Vocational rehabilitation loans program account.....	49,000	44,000	44,000	44,000	44,000	-5,000
(Limitation on direct loans).....	(2,822,000)	(2,278,000)	(2,278,000)	(2,278,000)	(2,278,000)	(-544,000)
Administrative expenses.....	377,000	388,000	388,000	388,000	388,000	+ 11,000
Native American Veteran Housing Loan Program Account.....	205,000	515,000	515,000	515,000	515,000	+ 310,000
Total, Veterans Benefits Administration.....	21,327,836,000	21,704,389,000	21,704,389,000	21,704,389,000	21,704,389,000	+ 376,453,000
Veterans Health Administration						
Medical care.....	16,313,447,000	16,958,846,000	16,441,846,000	16,476,840,000	16,487,396,000	+ 173,949,000
Delayed equipment obligation.....	700,000,000		565,000,000	550,000,000	570,000,000	-130,000,000
Total.....	17,013,447,000	16,958,846,000	17,006,846,000	17,026,840,000	17,057,396,000	+ 43,949,000
Medical collections guarantee.....					15,000,000	+ 15,000,000
Medical care cost recovery collections:						
Offsetting receipts.....		-604,000,000	-604,000,000	-604,000,000	-604,000,000	-604,000,000
Appropriations (indefinite).....		604,000,000	604,000,000	604,000,000	604,000,000	+ 604,000,000
Total available.....	(17,013,447,000)	(17,562,846,000)	(17,610,846,000)	(17,630,840,000)	(17,661,396,000)	(+ 647,949,000)
Medical and prosthetic research.....	262,000,000	234,374,000	292,000,000	267,000,000	272,000,000	+ 10,000,000
Medical administration and miscellaneous operating expenses	61,207,000	60,160,000	60,160,000	60,160,000	59,860,000	-1,347,000
General Post Fund, National Homes:						
Loan program account (by transfer).....	(7,000)	(7,000)	(7,000)	(7,000)	(7,000)	
Administrative expenses (by transfer).....	(54,000)	(54,000)	(54,000)	(54,000)	(54,000)	
(Limitation on direct loans).....	(70,000)	(70,000)	(70,000)	(70,000)	(70,000)	
General post fund (transfer out).....	(-61,000)	(-61,000)	(-61,000)	(-61,000)	(-61,000)	
Total, Veterans Health Administration.....	17,336,654,000	17,253,380,000	17,359,006,000	17,354,000,000	17,404,256,000	+ 67,602,000
Departmental Administration						
General operating expenses.....	827,584,000	846,385,000	853,385,000	786,385,000	786,135,000	-41,449,000
Offsetting receipts.....	(32,000,000)	(36,000,000)	(36,000,000)	(36,000,000)	(36,000,000)	(+ 4,000,000)
Total, Program Level.....	(859,584,000)	(882,385,000)	(889,385,000)	(822,385,000)	(822,135,000)	(-37,449,000)
National Cemetery System.....	76,864,000	84,183,000	84,183,000	84,183,000	84,183,000	+ 7,319,000
Office of Inspector General.....	30,900,000	31,013,000	31,013,000	31,013,000	31,013,000	+ 113,000
Construction, major projects.....	250,858,000	79,500,000	159,600,000	92,800,000	177,900,000	-72,958,000
Construction, minor projects.....	175,000,000	166,300,000	176,500,000	166,300,000	175,000,000	
Parking revolving fund.....	12,300,000					-12,300,000
Grants for construction of State extended care facilities.....	47,397,000	41,000,000	54,500,000	80,000,000	80,000,000	+ 32,603,000
Grants for the construction of State veterans cemeteries.....	1,000,000	10,000,000	10,000,000	10,000,000	10,000,000	+ 9,000,000
Total, Departmental Administration.....	1,421,903,000	1,258,381,000	1,369,181,000	1,250,681,000	1,344,231,000	-77,672,000
Administrative Provision						
Medical collections guarantee (sec. 108).....			15,000,000			
Total, title I, Department of Veterans Affairs.....	40,086,493,000	40,216,150,000	40,447,576,000	40,309,070,000	40,452,876,000	+ 366,383,000
(By transfer).....	(61,000)	(61,000)	(61,000)	(61,000)	(61,000)	
(Limitation on direct loans).....	(3,195,000)	(2,651,000)	(2,651,000)	(2,651,000)	(2,651,000)	(-544,000)
Consisting of:						
Mandatory.....	(21,187,993,000)	(21,542,804,000)	(21,542,804,000)	(21,542,804,000)	(21,542,804,000)	(+ 354,811,000)
Discretionary.....	(18,898,500,000)	(18,673,346,000)	(18,904,772,000)	(18,766,266,000)	(18,910,072,000)	(+ 11,572,000)

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2158) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE II						
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
Public and Indian Housing						
Housing Certificate Fund		10,676,000,000	10,383,000,000	10,119,000,000	9,373,000,000	+9,373,000,000
Expiring section 8 contracts		(9,232,000,000)	(9,200,000,000)	(8,666,000,000)	(8,180,000,000)	(+8,180,000,000)
Section 8 amendments		(850,000,000)	(850,000,000)	(1,110,000,000)	(850,000,000)	(+850,000,000)
Section 8 relocation assistance		(594,000,000)	(343,000,000)	(343,000,000)	(343,000,000)	(+343,000,000)
Prevention of resident displacement	4,640,000,000					-4,640,000,000
Expiring section 8 contracts	(3,800,000,000)					(-3,800,000,000)
Section 8 amendments	(850,000,000)					(-850,000,000)
Section 8 relocation assistance	(190,000,000)					(-190,000,000)
Transfer from recaptures	(50,000,000)					(-50,000,000)
Subtotal	(4,690,000,000)	(10,676,000,000)	(10,383,000,000)	(10,119,000,000)	(9,373,000,000)	(+4,683,000,000)
Annual contributions (rescission)		-855,000,000	-565,000,000		-550,000,000	-550,000,000
Rescission (P.L. 105-18)	-3,650,000,000					+3,650,000,000
Public housing capital fund		2,500,000,000	2,500,000,000	2,500,000,000	2,500,000,000	+2,500,000,000
Public housing operating fund		2,900,000,000	2,900,000,000	2,900,000,000	2,900,000,000	+2,900,000,000
Preserving existing housing investment	5,750,000,000					-5,750,000,000
Public housing operating subsidies	(2,900,000,000)					(-2,900,000,000)
Public housing modernization	(2,500,000,000)					(-2,500,000,000)
Preservation	(350,000,000)					(-350,000,000)
Rescission of recaptures	-150,000,000					+150,000,000
Prepayment authority	2,000,000					-2,000,000
Supplemental (P.L. 105-18)	3,500,000					-3,500,000
Subtotal	(5,605,500,000)	(5,400,000,000)	(5,400,000,000)	(5,400,000,000)	(5,400,000,000)	(-205,500,000)
Drug elimination grants for low-income housing	290,000,000	290,000,000	290,000,000	290,000,000	310,000,000	+20,000,000
Revitalization of severely distressed public housing (HOPE VI)	550,000,000	524,000,000	524,000,000	550,000,000	550,000,000	
Homeownership and opportunity for people everywhere grants (HOPE grants) (transfer out) (P.L. 105-18)	(-30,200,000)					(+30,200,000)
Native American housing block grants		485,000,000	650,000,000	485,000,000	600,000,000	+600,000,000
Indian housing loan guarantee fund program account	3,000,000	3,000,000	3,000,000	6,000,000	5,000,000	+2,000,000
(Limitation on guaranteed loans)	(36,900,000)	(36,900,000)	(36,900,000)	(73,800,000)	(73,800,000)	(+36,900,000)
Development of additional new subsidized housing	1,039,000,000					-1,039,000,000
Housing for the elderly	(645,000,000)					(-645,000,000)
Housing for the disabled	(194,000,000)					(-194,000,000)
Indian housing development	(200,000,000)					(-200,000,000)
Capacity Building for Community Development and Affordable Housing						
National community development initiative (by transfer)	(30,200,000)					(-30,200,000)
Capital Grants/Capital Loans Preservation Account						
Capital grants/Capital loans preservation account					10,000,000	+10,000,000
Community Planning and Development						
Housing opportunities for persons with AIDS	171,000,000	204,000,000	204,000,000	204,000,000	204,000,000	+33,000,000
Transfer from recaptures	(25,000,000)					(-25,000,000)
Community development block grants	4,600,000,000	4,600,000,000	4,600,000,000	4,600,000,000	4,675,000,000	+75,000,000
Emergency appropriations (P.L. 105-18)	250,000,000					-250,000,000
Emergency appropriations, FY 1998 (P.L. 105-18)	250,000,000					-250,000,000
Section 108 loan guarantees:						
(Limitation on guaranteed loans)	(1,500,000,000)	(1,261,000,000)	(1,261,000,000)	(1,261,000,000)	(1,261,000,000)	(-239,000,000)
Credit subsidy	31,750,000	29,000,000	29,000,000	29,000,000	29,000,000	-2,750,000
Administrative expenses	675,000	1,000,000	1,000,000	1,000,000	1,000,000	+325,000
Brownfields redevelopment	25,000,000				25,000,000	+25,000,000
Empowerment Zones and Enterprise Communities	100,000,000			25,000,000	5,000,000	+5,000,000
HOME investment partnerships program	1,400,000,000	1,309,000,000	1,500,000,000	1,400,000,000	1,500,000,000	+100,000,000
Supportive housing program (rescission)		-6,000,000	-6,000,000	-6,000,000	-6,000,000	-6,000,000
Shelter plus care (rescission)		-4,000,000	-4,000,000	-4,000,000	-4,000,000	-4,000,000
Homeless assistance grants	823,000,000	823,000,000	823,000,000	823,000,000	823,000,000	
Youthbuild		30,000,000				
Housing counseling assistance		23,000,000				
Total, Public and Indian Housing (net)	16,003,925,000	23,657,000,000	23,842,000,000	23,922,000,000	22,950,000,000	+6,946,075,000
Housing Programs						
Housing for special populations		474,000,000	839,000,000	839,000,000	839,000,000	+839,000,000
Housing for the elderly		(300,000,000)	(645,000,000)	(645,000,000)	(645,000,000)	(+645,000,000)
Housing for the disabled		(174,000,000)	(194,000,000)	(194,000,000)	(194,000,000)	(+194,000,000)
Rental housing assistance:						
Rescission of budget authority, indefinite		-125,000,000	-125,000,000	-125,000,000	-125,000,000	-125,000,000
(Limitation on annual contract authority, indefinite)		(-2,000,000)				(+2,000,000)

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2158) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Housing Administration						
FHA - Mutual mortgage insurance program account:						
(Limitation on guaranteed loans).....	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	(110,000,000,000)	.....
(Limitation on direct loans).....	(200,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	.....
Administrative expenses.....	350,595,000	333,421,000	333,421,000	333,421,000	338,421,000	-12,174,000
Offsetting receipts.....	-350,595,000	-333,421,000	-333,421,000	-333,421,000	-333,421,000	+17,174,000
FHA - General and special risk program account:						
Program costs.....	85,000,000	81,000,000	81,000,000	81,000,000	81,000,000	-4,000,000
(Limitation on guaranteed loans).....	(17,400,000,000)	(17,400,000,000)	(17,400,000,000)	(17,400,000,000)	(17,400,000,000)	.....
(Limitation on direct loans).....	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	.....
Administrative expenses.....	207,470,000	222,305,000	222,305,000	222,305,000	222,305,000	+14,835,000
Subsidy - multifamily.....	-18,000,000	-18,000,000	-18,000,000	-18,000,000	-18,000,000	.....
Subsidy - single family.....	-64,000,000	-64,000,000	-64,000,000	-64,000,000	-64,000,000	.....
Subsidy - Title I.....	-25,000,000	-25,000,000	-25,000,000	-25,000,000	-25,000,000	.....
Total, Federal Housing Administration.....	185,470,000	198,305,000	198,305,000	198,305,000	201,305,000	+15,835,000
Government National Mortgage Association						
Guarantees of mortgage-backed securities loan guarantee program account:						
(Limitation on guaranteed loans).....	(110,000,000,000)	(130,000,000,000)	(130,000,000,000)	(130,000,000,000)	(130,000,000,000)	(+20,000,000,000)
Administrative expenses.....	9,383,000	9,383,000	9,383,000	9,383,000	9,383,000	.....
Offsetting receipts.....	-218,000,000	-204,000,000	-204,000,000	-204,000,000	-204,000,000	+14,000,000
Policy Development and Research						
Research and technology.....	34,000,000	39,000,000	39,000,000	34,000,000	36,500,000	+2,500,000
Fair Housing and Equal Opportunity						
Fair housing activities.....	30,000,000	39,000,000	30,000,000	30,000,000	30,000,000	.....
Management and Administration						
Salaries and expenses.....	420,000,000	451,000,000	451,000,000	400,000,000	446,000,000	+26,000,000
(By transfer, limitation on FHA corporate funds).....	(546,782,000)	(544,443,000)	(544,443,000)	(544,443,000)	(544,443,000)	(-2,339,000)
(By transfer, GNMA).....	(9,383,000)	(9,383,000)	(9,383,000)	(9,383,000)	(9,383,000)	.....
(By transfer, Community Planning & Development).....	(675,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(+325,000)
Total, Salaries and expenses.....	(976,840,000)	(1,005,826,000)	(1,005,826,000)	(954,826,000)	(1,000,826,000)	(+23,986,000)
Office of Inspector General.....	36,567,000	36,567,000	45,567,000	36,567,000	40,567,000	+4,000,000
(By transfer, limitation on FHA corporate funds).....	(11,283,000)	(11,283,000)	(11,283,000)	(16,283,000)	(16,283,000)	(+5,000,000)
(By transfer from Drug Elimination Grants).....	(5,000,000)	(10,000,000)	(10,000,000)	(5,000,000)	(10,000,000)	(+5,000,000)
Total, Office of Inspector General.....	(52,850,000)	(57,850,000)	(66,850,000)	(57,850,000)	(66,850,000)	(+14,000,000)
Office of federal housing enterprise oversight.....	15,500,000	18,312,000	18,312,000	15,500,000	16,000,000	+500,000
Offsetting receipts.....	-15,500,000	-18,312,000	-18,312,000	-15,500,000	-16,000,000	-500,000
Administrative Provisions						
Mark to market legislation.....				-317,000,000	-562,000,000	-562,000,000
Sec. 203 - FHA Assignment Reform, 1997.....	-128,000,000					+128,000,000
Sec. 204 - Multifamily property disposition - FHA fund.....	-80,000,000					+80,000,000
Sec. 210 - financing adjustment.....	464,442					-464,442
Sec. 212 - demonstration.....	10,000,000					-10,000,000
Total, administrative provisions.....	-197,535,558			-317,000,000	-562,000,000	-364,464,442
Total, title II, Department of Housing and Urban						
Development (net).....	16,303,809,442	24,573,255,000	25,123,255,000	24,821,255,000	23,661,755,000	+7,357,945,558
Appropriations.....	(19,453,809,442)	(25,563,255,000)	(25,823,255,000)	(24,856,255,000)	(24,346,755,000)	(+4,882,945,558)
Rescissions.....	(-3,650,000,000)	(-990,000,000)	(-700,000,000)	(-135,000,000)	(-685,000,000)	(+2,965,000,000)
Emergency appropriations.....	(250,000,000)					(-250,000,000)
Emergency appropriations, FY 1998.....	(250,000,000)					(-250,000,000)
(Limitation on annual contract authority, indefinite).....	(-2,000,000)					(+2,000,000)
(Limitation on guaranteed loans).....	(238,900,000,000)	(258,661,000,000)	(258,661,000,000)	(258,661,000,000)	(258,661,000,000)	(+19,761,000,000)
(Limitation on corporate funds).....	(573,123,000)	(578,109,000)	(578,109,000)	(578,109,000)	(581,109,000)	(+7,986,000)
TITLE III						
INDEPENDENT AGENCIES						
American Battle Monuments Commission						
Salaries and expenses.....	22,265,000	23,897,000	26,897,000	23,897,000	26,897,000	+4,632,000
Chemical Safety and Hazard Investigations Board						
Salaries and expenses.....				4,000,000	4,000,000	+4,000,000
Department of the Treasury						
Community Development Financial Institutions						
Community development financial institutions fund program account.....	50,000,000	125,000,000	125,000,000		80,000,000	+30,000,000

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2158) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
Consumer Product Safety Commission						
Salaries and expenses	42,500,000	45,000,000	44,000,000	45,000,000	45,000,000	+ 2,500,000
Corporation for National and Community Service						
National and community service programs operating expenses	400,500,000	546,500,000	200,500,000	420,500,000	425,500,000	+ 25,000,000
Office of Inspector General	2,000,000	2,500,000	2,000,000	3,000,000	3,000,000	+ 1,000,000
Total	402,500,000	549,000,000	202,500,000	423,500,000	428,500,000	+ 26,000,000
Court of Veterans Appeals						
Salaries and expenses	9,229,000	9,380,000	9,319,000	9,320,000	9,319,000	+ 90,000
Department of Defense - Civil Cemeterial Expenses, Army						
Salaries and expenses	11,600,000	11,815,000	11,815,000	11,815,000	11,815,000	+ 215,000
Environmental Protection Agency						
Science and Technology	552,000,000	614,269,400	629,223,000	600,000,000	631,000,000	+ 79,000,000
Transfer from Hazardous Substance Superfund	35,000,000	39,755,900	35,000,000	35,000,000	35,000,000	.....
Subtotal, Science and Technology	587,000,000	654,025,300	664,223,000	635,000,000	666,000,000	+ 79,000,000
Environmental Programs and Management	1,752,221,000	1,887,590,900	1,763,352,000	1,801,000,000	1,801,000,000	+ 48,779,000
Office of Inspector General	28,500,000	28,500,000	28,501,000	28,500,000	28,501,000	+ 1,000
Transfer from Hazardous Substance Superfund	11,000,000	11,641,300	11,641,000	11,641,000	11,641,000	+ 641,000
Transfer from Leaking Underground Storage Tanks	577,000	.....	.....	.....	.....	-577,000
Subtotal, OIG	40,077,000	40,141,300	40,142,000	40,141,000	40,142,000	+ 65,000
Buildings and facilities	87,220,000	141,420,000	182,120,000	19,420,000	109,420,000	+ 22,200,000
Hazardous Substance Superfund	1,294,245,000	2,094,245,000	1,500,699,000	1,300,000,000	1,400,000,000	+ 105,755,000
Delay of obligation	100,000,000	.....	.....	100,000,000	100,000,000	.....
Advance appropriation, FY 1999 .....	.....	.....	.....	.....	650,000,000	+ 650,000,000
Transfer to Office of Inspector General	-11,000,000	-11,641,300	-11,641,000	-11,641,000	-11,641,000	-641,000
Transfer to Science and Technology	-35,000,000	-39,755,900	-35,000,000	-35,000,000	-35,000,000	.....
Subtotal, Hazardous Substance Superfund	1,348,245,000	2,042,847,800	1,454,058,000	1,353,359,000	1,453,359,000	+ 105,114,000
Fiscal Year 1999 .....	.....	.....	.....	.....	650,000,000	+ 650,000,000
Leaking Underground Storage Tank Trust Fund	60,000,000	71,210,700	60,000,000	65,000,000	65,000,000	+ 5,000,000
Transfer to Office of Inspector General	-577,000	.....	.....	.....	.....	+ 577,000
(Limitation on administrative expenses)	(7,000,000)	.....	(7,000,000)	(7,500,000)	(7,500,000)	(+ 500,000)
Subtotal, LUST	59,423,000	71,210,700	60,000,000	65,000,000	65,000,000	+ 5,577,000
Oil spill response	15,000,000	15,000,000	15,000,000	15,000,000	15,000,000	.....
(Limitation on administrative expenses)	(8,000,000)	.....	(8,000,000)	(8,500,000)	(9,000,000)	(+ 1,000,000)
State and Tribal Assistance Grants	2,236,000,000	2,043,000,000	2,275,925,000	2,322,000,000	2,468,125,000	+ 232,125,000
Categorical grants	674,207,000	750,257,000	750,257,000	725,000,000	745,000,000	+ 70,793,000
Subtotal, STAG	2,910,207,000	2,793,257,000	3,026,182,000	3,047,000,000	3,213,125,000	+ 302,918,000
Working capital fund	(101,526,000)	(101,000,000)	(101,000,000)	(101,000,000)	(101,000,000)	(-526,000)
Total, EPA	6,799,393,000	7,645,493,000	7,205,077,000	6,975,920,000	7,363,046,000	+ 563,653,000
Fiscal Year 1999 .....	.....	.....	.....	.....	650,000,000	+ 650,000,000
Executive Office of the President						
Office of Science and Technology Policy	4,932,000	4,932,000	4,932,000	4,932,000	4,932,000	.....
Council on Environmental Quality and Office of Environmental Quality	2,436,000	3,020,000	2,506,000	2,436,000	2,500,000	+ 64,000
Unanticipated needs .....	.....	.....	.....	.....	1,000,000	+ 1,000,000
Total	7,368,000	7,952,000	7,438,000	7,368,000	8,432,000	+ 1,064,000
Federal Deposit Insurance Corporation						
Office of Inspector General (transfer) .....	.....	(34,365,000)	(34,365,000)	(34,265,000)	(34,365,000)	(+ 34,365,000)
Federal Emergency Management Agency						
Disaster relief	1,320,000,000	370,000,000	500,000,000	320,000,000	320,000,000	-1,000,000,000
Emergency appropriations (P.L. 105-18)	3,300,000,000	.....	.....	.....	.....	-3,300,000,000
Emergency approp (transfer out) (P.L. 105-18)	(-20,000,000)	.....	.....	.....	.....	(+ 20,000,000)
Disaster assistance direct loan program account:						
State share loan	1,385,000	1,495,000	1,495,000	1,495,000	1,495,000	+ 110,000
(Limitation on direct loans)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	.....
Administrative expenses	548,000	341,000	341,000	341,000	341,000	-207,000
Community disaster loans (by transfer) (emergency)	(20,000,000)	.....	.....	.....	.....	(-20,000,000)
Salaries and expenses	170,500,000	171,773,000	171,773,000	171,773,000	171,773,000	+ 1,273,000
Office of Inspector General	4,673,000	4,803,000	4,803,000	4,803,000	4,803,000	+ 130,000
Emergency management planning and assistance	218,701,000	202,146,000	261,646,000	207,146,000	243,546,000	+ 24,845,000
Pre-disaster mitigation .....	.....	.....	.....	(5,000,000)	.....	.....

VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 1998 (H.R. 2158) — continued

	FY 1997 Enacted	FY 1998 Estimate	House	Senate	Conference	Conference compared with enacted
Emergency food and shelter program.....	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	
National Flood Insurance Fund (limitation on administrative expenses):						
Salaries and expenses	(20,981,000)	(21,610,000)	(21,610,000)	(21,610,000)	(21,610,000)	(+629,000)
Flood mitigation	(78,464,000)	(78,464,000)	(78,464,000)	(78,464,000)	(78,464,000)	
Working capital fund	(16,816,000)					(-16,816,000)
Administrative provision: REP savings	-12,251,000	-12,000,000	-12,000,000	-12,000,000	-12,000,000	+251,000
Total, Federal Emergency Management Agency	5,103,556,000	638,558,000	1,028,058,000	793,558,000	829,958,000	-4,273,566,000
General Services Administration						
Consumer Information Center Fund	2,260,000	2,119,000	2,419,000	2,419,000	2,419,000	+159,000
Department of Health and Human Services						
Office of Consumer Affairs	1,500,000	1,800,000				-1,500,000
National Aeronautics and Space Administration						
Human space flight	5,362,900,000	5,326,500,000	5,426,500,000	5,326,500,000	5,508,500,000	+143,600,000
Science, aeronautics and technology	5,787,100,000	5,842,000,000	5,880,000,000	5,842,000,000	5,880,000,000	-77,100,000
Mission support	2,562,200,000	2,513,200,000	2,513,200,000	2,503,200,000	2,433,200,000	-129,000,000
Office of Inspector General	17,000,000	18,300,000		18,300,000	18,300,000	+1,300,000
Administrative provision: Transfer authority	(177,000,000)		(150,000,000)			(-177,000,000)
Total, NASA	13,709,200,000	13,500,000,000	13,848,000,000	13,490,000,000	13,848,000,000	-61,200,000
National Credit Union Administration						
Central liquidity facility:						
(Limitation on direct loans)	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	
(Limitation on administrative expenses, corporate funds)	(560,000)	(203,000)	(203,000)	(203,000)	(203,000)	(-357,000)
Revolving loan program	1,000,000				1,000,000	
National Science Foundation						
Research and related activities	2,432,000,000	2,514,700,000	2,537,526,000	2,524,700,000	2,545,700,000	+113,700,000
Major research equipment	80,000,000	85,000,000	175,000,000	85,000,000	74,000,000	-8,000,000
Delay of obligation					35,000,000	+35,000,000
Education and human resources	619,000,000	625,500,000	632,500,000	625,500,000	632,500,000	+13,500,000
Salaries and expenses	134,310,000	136,950,000	136,950,000	136,950,000	136,950,000	+2,640,000
Office of Inspector General	4,690,000	4,850,000	4,850,000	4,850,000	4,850,000	+160,000
Total, NSF	3,270,000,000	3,367,000,000	3,486,826,000	3,377,000,000	3,429,000,000	+159,000,000
Neighborhood Reinvestment Corporation						
Payment to the Neighborhood Reinvestment Corporation	49,900,000	50,000,000	70,000,000	50,000,000	60,000,000	+10,100,000
Selective Service System						
Salaries and expenses	22,930,000	23,919,000	23,413,000	23,413,000	23,413,000	+483,000
Total, title III, Independent agencies	29,505,201,000	26,200,933,000	25,890,762,000	25,237,210,000	26,620,799,000	-2,884,402,000
Appropriations	(29,505,201,000)	(26,200,933,000)	(25,890,762,000)	(25,237,210,000)	(25,970,799,000)	(-3,534,402,000)
Advance appropriation, FY 1999					(650,000,000)	(+650,000,000)
(Limitation on administrative expenses)	(114,445,000)	(100,074,000)	(115,074,000)	(116,074,000)	(116,574,000)	(+2,129,000)
(Limitation on direct loans)	(625,000,000)	(625,000,000)	(625,000,000)	(625,000,000)	(625,000,000)	
(Limitation on corporate funds)	(560,000)	(203,000)	(203,000)	(203,000)	(203,000)	(-357,000)
Grand total (net)	85,895,503,442	90,990,338,000	91,461,593,000	90,367,535,000	90,735,430,000	+4,839,926,558
Appropriations	(85,745,503,442)	(91,980,338,000)	(92,161,593,000)	(90,502,535,000)	(90,770,430,000)	(+5,024,926,558)
Rescissions	(-3,850,000,000)	(-990,000,000)	(-700,000,000)	(-135,000,000)	(-685,000,000)	(+2,965,000,000)
Emergency appropriations (net)	(3,550,000,000)					(-3,550,000,000)
Advance appropriation, FY 1999					(650,000,000)	(+650,000,000)
(By transfer)	(82,170,564,442)	(91,024,764,000)	(91,496,019,000)	(90,401,861,000)	(90,119,856,000)	(+7,949,291,558)
(Limitation on administrative expenses)	(114,445,000)	(100,074,000)	(115,074,000)	(116,074,000)	(116,574,000)	(+2,129,000)
(Limitation on annual contract authority, indefinite)	(-2,000,000)					(+2,000,000)
(Limitation on direct loans)	(985,095,000)	(984,551,000)	(984,551,000)	(1,021,451,000)	(1,021,451,000)	(+36,356,000)
(Limitation on guaranteed loans)	(238,900,000,000)	(258,861,000,000)	(258,861,000,000)	(258,861,000,000)	(258,861,000,000)	(+19,761,000,000)
(Limitation on corporate funds)	(573,683,000)	(576,312,000)	(576,312,000)	(576,312,000)	(581,312,000)	(+7,629,000)
Total amounts in this bill	85,895,503,442	90,990,338,000	91,461,593,000	90,367,535,000	90,735,430,000	+4,839,926,558
Scorekeeping adjustments	-3,832,100,000	32,100,000	32,100,000	32,100,000	-617,900,000	+3,214,200,000
Total mandatory and discretionary	82,063,403,442	91,022,438,000	91,493,693,000	90,399,635,000	90,117,530,000	+8,054,126,558
Mandatory	21,187,993,000	21,542,804,000	21,542,804,000	21,542,804,000	21,542,804,000	+354,811,000
Discretionary:						
Defense	125,930,000	128,919,000	129,413,000	128,413,000	128,413,000	+2,483,000
Nondefense	60,749,480,442	69,350,715,000	69,821,478,000	68,728,418,000	68,446,313,000	+7,696,832,558
Total, Discretionary	60,875,410,442	69,479,634,000	69,950,889,000	68,856,831,000	68,574,726,000	+7,699,315,558

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this conference agreement, and I urge my colleagues to vote for it. I must say there are several areas where I wish that we could have done more, but given the budgetary restraints within which we had to work, I believe the conferees have done a very commendable job.

First of all, Mr. Speaker, I want to salute the gentleman from California [Mr. LEWIS], the chairman of the subcommittee. Without his fairness, persistence and sense of humor, I might say, the task of putting this agreement together would have been immeasurably more difficult.

I also want to commend the majority staff, in particular Frank Cushing, Paul Thomson, Tim Peterson, Valerie Baldwin, Jeff Shockey, Alex Heslop and Rose Roberts also for the patience, professionalism, and courtesies they have demonstrated throughout the development of this legislation.

I also want to acknowledge the invaluable assistance I have received from the minority staff in the persons of Del Davis and David Reich, whose professionalism and advice and counsel have been enriching to me at all times, along with Ms. Fredette West of my own congressional staff who has also been invaluable.

Our chairman, the gentleman from California [Mr. LEWIS], has already indicated a number of the more important details of the conference agreement. I just wish to make a few additional observations about this package.

Recognizing the great contributions made by our Nation's veterans, this agreement provides more for the Veterans Health Administration and for the VA in total than either the House or the Senate bill did. Although total funding for the Department of Housing and Urban Development has been reduced from the amount in the House-passed bill, most of this change is a result of including Section 8 reforms, the so-called mark to market provisions, that resulted in substantial savings to the program, those provisions worked out in long negotiating sessions involving the administration and the authorization committees.

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I am grateful that the conferees were able to retain the higher Senate figure, \$550 million for the HOPE VI program and the higher House figure of \$1.5 billion for the HOME program.

The conferees also recommend a total of \$138 million within HUD's Community Development Block Grant program for economic development activities. Some of these funds have been designated for specific purposes, and a significant portion are available at the discretion of the Secretary.

In many instances the designated funds will leverage State, local, and private funding, resulting in synergies that will greatly assist communities across the Nation. I am convinced that this relatively small amount of money will reap benefits far in excess of these funds invested in our cities and towns.

This agreement also reflects discussions held with White House officials before the conference was concluded. Although we were unable to provide everything that the administration indicated was required, I believe that the conferees went a long way to address their concerns. The largest single item in this category is the inclusion of \$650 million for the Superfund program as an advance appropriation for fiscal year 1999, subject to authorization.

Mr. Speaker, I encourage the administration to work closely with the legislative committees of jurisdiction so we do not face a similar situation next year.

Regarding funding for the Environmental Protection Agency, I am pleased to report that the conferees recommend nearly \$7.4 billion in 1998 funding, an increase above the amounts in both the Senate and the House bills, and more than \$500 million above the 1997 total. In addition, there are no anti-environmental riders in this legislation.

There are other programs of great importance to the administration, the Corporation for National and Community Service and Community Development Financial Institutions. Although we could not provide the entire budget request, we were able to provide significant increases above the current year.

The conferees faced a difficult situation concerning the National Aeronautics and Space Administration. Just before the conference NASA indicated it needed \$430 million more than their budget request for the International Space Station program. Although NASA was proposing to take the funding from other existing NASA activities, due to the detrimental impact that this could have on certain NASA programs, this request was not fully acceded to.

The conference agreement notes congressional concerns with the ongoing problems plaguing the Space Station, and directs NASA to take several actions to get the project back on track. Until these actions occur, some funding for the station will be withheld.

Mr. Speaker, once again, in concluding my remarks, I want to thank the gentleman from California, Chairman LEWIS, for the very evenhanded way in which he has guided this bill. I have taken great pleasure in serving on this committee with him and, as the ranking member, have been appreciative of the bipartisan manner in which he and I have approached our responsibilities relative to getting this

legislation from the House over to the Senate and then back to the House. For that reason, I am very proud to be able to support this bill that is before the House today.

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, it is my pleasure to yield 4 minutes to the gentleman from Michigan [Mr. KNOLLENBERG], a member of the committee, for his statement and a colloquy.

Mr. KNOLLENBERG. I want to thank the chairman for yielding me this time, Mr. Speaker.

I rise to address an issue that I believe strikes at the integrity of this committee. It came to my attention just last week, and it has serious implications on what we have done regarding fair housing activities.

Last week HUD announced the award of fiscal year 1997 funds under the Fair Housing Initiatives Program, also known as FHIP. As we know, the FHIP provides support to private, nonprofit organizations to assist in enforcement of the Fair Housing Act.

For fiscal year 1997, both the House and Senate committees specifically directed HUD to use FHIP funds only, only to address those forms of housing discrimination that are expressly proscribed by the Fair Housing Act. The report emphasized repeatedly that the Fair Housing Act makes no mention of the practices of property insurance. It further instructed that the FHIP funds not be allocated for purposes of enforcing the Act against insurers.

HUD's announcement, in direct contradiction to this committee's intent, awarded numerous grants specifically for activities including investigating property insurance and otherwise seeking to enforce the Fair Housing Act against property insurers. In taking this action, HUD appears to have ignored completely this committee's directive. This is, in my judgment, a very serious matter that has implications beyond fiscal year 1997.

The House in the legislation before us once again stated its intent that FHIP funds appropriated under this measure should not be used to address insurance practices.

Mr. Speaker, for the past two fiscal years this committee, including myself and my good friend the gentleman from Ohio [Mr. STOKES], the ranking member, have worked together to craft report language to everyone's agreement. We did not do this to have it ignored by HUD. Report language is meant to be adhered to, and I intend to question HUD about their intent and apparent neglect of our wishes.

The House Committee Report on the fiscal year 1997 VA-HUD appropriations legislation stated:

The Committee intends that funds appropriated to the Fair Housing Initiatives Program (FHIP) for enforcement of title VIII of

the Civil Rights Act of 1968, as amended, which prohibits discrimination in the sale, rental, and financing of housing and in the provision of brokerage services, be used only to address such forms of discrimination as they are explicitly identified and specifically described in title VIII. Recognizing that there are limited resources available for FHIP activities, the Committee believes that FHIP funds should serve the purposes of Congress as reflected in the express language of title VIII.

The Committee notes that HUD's Office of Fair Housing and Equal Opportunity has undertaken a variety of activities pertaining to property insurance under the authority of the Fair Housing Act. HUD recently testified that, due to Congressional concern about such activities, it does not intend to focus its regulatory initiatives on property insurance. The Committee is encouraged by this statement, but remains concerned about HUD's use of funds for other fair housing activities aimed at property insurance practices.

HUD's insurance-related activities duplicate state regulation of insurance. Every state and the District of Columbia have laws and regulations addressing unfair discrimination in property insurance and are actively investigating and addressing discrimination where it is found to occur. HUD's activities in this area create an unwarranted and unnecessary layer of federal bureaucracy.

The Fair Housing Act makes no mention of discrimination in property insurance. Moreover, neither it nor its legislative history suggests that Congress intended it to apply to the provision of property insurance. Indeed, Congress' intention, as expressly stated in the McCarran-Ferguson Act of 1945 and repeatedly reaffirmed thereafter, is that, unless a federal law "specifically relates to the business of insurance," that law shall not apply where it would interfere with state insurance regulation. HUD's assertion of authority regarding property insurance contradicts this statutory mandate.

This language, which was repeated almost verbatim in the Senate Committee report, makes extremely clear that no fiscal year 1997 funds appropriated for the FHIP were to be used to target the practices of insurance companies.

On February 7, 1997, I wrote to HUD to seek confirmation that the Department's Office of Fair Housing and Equal Opportunity [FHEO] would adhere to the directive expressed in the committee report. I specifically asked: "Will the FHEO Office honor any requests for FHIP funding for activities relating to enforcement of the FHA against insurers?"

In a letter to me dated March 13, 1997, HUD's Assistant Secretary for Congressional and Intergovernmental Relations responded: "All requests for funding under the fiscal year 1997 FHIP Notice of Funding Availability [NOFA] will be screened for proposed activities. The Department will not fund activities relating to enforcement of the FHAct against property insurers."

The letter also provided confirmation of intended adherence by the Department to the Report directive by responding to other questions as follows:

Question. Will the FHEO Office identify, in its public announcement of FHIP awards, whether any portion of those awards might be used for activities relating to applications of the FHA to insurance?

Answer. Yes, the NOFA will state that activities relating to application of the Fair Housing Act to property insurance will not be funded under any of the three Initiatives for which Congress has allocated funding in FY'97—i.e., Private Enforcement Initiative, Fair Housing Organization Initiative, or Education and Outreach Initiative. In addition, the application kit also will emphasize that such activities will not be funded, including as an "in-kind" contribution to the budget. Further, the Office of FHEO will place a special condition on all FY'97 awards regarding this restricted use of funds.

Question. How will the FHEO Office monitor whether any portion of its FHIP awards are used for activities relating to application of the FHA to insurance?

Answer. While the FHEO Office will make it clear that such activities will not be funded, the Office will monitor whether any portion of the FY'97 FHIP awards are used for activities relating to application of the FHA to insurance in several ways: (1) requiring submission of work products which would show the scope of planned activities, such as training outlines, conference agendas and materials, and testing methodologies; (2) a thorough review of reports submitted regarding actual activities under the grant, such as enforcement logs, quarterly progress reports and financial statements; and (3) on-site monitoring of grantees. Monitoring visits include interviews with grantee staff and testers, examination of financial and personnel records, review of testing and other enforcement records.

Subsequently, in a letter to me dated May 13, 1997 the Assistant Secretary qualified the above quoted answer by stating that the Department would seek to ensure that FHIP funds are "not used for narrowly focused enforcement purposes" and that FHIP funded projects "would not be focused upon a single issue, such as insurance discrimination."

Then on September 30, 1997, HUD announced 67 awards of fiscal year 1997 grants under the FHIP. Out of the total of \$15,000,000 in funds awarded, HUD announced that almost one third, an amount of \$4,170,002, was awarded for activities including investigations, testing, and other enforcement-related projects specifically targeting insurance companies. This is in direct contradiction of the statements in HUD's March 13, 1997, letter to me. More importantly, it flatly contravenes the intent expressed by Congress in the House and Senate Committee Reports on HUD's fiscal year 1997 appropriations.

Such a flagrant defiance of Congressional intent suggests the need for serious consideration about continued funding for the FHIP. I note that the House Committee Report on the fiscal year 1998 VA-HUD appropriations legislation states:

The Committee is encouraged by HUD's recent testimony and correspondence stating that the Office of Fair Housing and Equal Opportunity does not intend to use FHIP funds to solicit or fund applications that would address enforcement of the Fair Housing Act against property insurers. As the Committee has previously emphasized, given the limited resources available for enforcement of title VIII, it is appropriate that funds should serve the particular purposes expressly identified by Congress in the statute. The Committee appreciates HUD's acknowledgment of these budgetary priorities and looks forward to the agency's continued cooperation in adhering to them.

In light of HUD's recent actions, there no longer appear to be grounds for believing that the Department will, in fact, act in "continued cooperation and adhering to" our budgetary priorities. This is a very serious matter that I strongly feel should be addressed promptly, including, if necessary, through cutbacks in funding for the Department.

Mr. Speaker, I rise to enter into a colloquy with the distinguished gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I am pleased to join in a brief colloquy with my colleague, the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Speaker, reclaiming my time, I am pleased to see that the conferees saw the need and the value to conduct a near-term research program for PM2.5 immediately. Specifically, as an initial phase of the program, the conferees noted the ongoing efforts to conduct research as well as the need to conduct new research with the goal to start and rapidly complete before the next NAAQS review in 2002. This would be in coordination with NAS and target broad-based research program, intensively peer-reviewed research in line with the near-term priorities that the gentleman cites, and to fully reanalyze the key epidemiologic studies in this program.

We have heard estimates that successful completion of this near-term research would be in the range of \$5 million. I would ask the chairman, does this agree with the estimates that have been suggested to him?

Mr. LEWIS of California. Mr. Speaker, if the gentleman will continue to yield, the gentleman is correct, the near-term research is vital, and \$5 million is a good estimate of what would be necessary to carry out this research.

Mr. KNOLLENBERG. Mr. Speaker, reclaiming my time, would the Health Effects Institute, HEI, be an example of the type of independent research institute that was suggested in the conference report that should have priority to undertake this work?

Mr. LEWIS of California. If the gentleman will continue to yield, Mr. Speaker, the gentleman is correct. It would be the intent of the conferees and this conference report that institutes such as HEI would receive priority in the process laid out in the conference report.

Mr. KNOLLENBERG. I thank the distinguished chairman for his time.

Mr. LEWIS of California. I reserve the balance of my time, Mr. Speaker.

Mr. STOKES of Ohio. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Ohio [Ms. KAPTUR], a very hard-working and highly respected member of the subcommittee.

Ms. KAPTUR. Mr. Speaker, I thank our ranking member, the gentleman

from Cleveland, OH [Mr. STOKES] for granting me this time, along with our chairman, the gentleman from California [Mr. LEWIS], who has been very gracious.

Mr. Speaker, I rise to engage the chairman in a colloquy on the proposed VA cemetery, Veterans Administration Cemetery in Guilford Township, OH. I am concerned about the potential conflict that could arise between Federal and local land and water uses between Medina County and Wayne County related to the development of that new veterans cemetery.

As ranking member of the Subcommittee on Agriculture, Rural Development Food and Drug Administration, and Related Agencies of the Committee on Appropriations and a member of this VA-HUD subcommittee as well, I have heard from many local officials and citizens in the community concerned about farmlands preservation being essential to the maintenance of a sound rural economy in this region of Ohio.

Before the final Federal water contracts are negotiated, I would urge the Veterans Administration to meet with township and other local officials in both counties to ensure that local land use is respected, the impact of the proposed VA water acquisition on productive farmland is assessed, and the best water source for the new national cemetery is developed.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Ms. KAPTUR. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, first let me say that I very much appreciate the gentleman's work on our committee. She is a most effective member.

She and I have discussed the fact that water rights are really State and local issues, but at the same time, the gentleman is in a perfect position to make this point at a very appropriate time. I concur with the gentleman from Ohio, and encourage the VA to act expeditiously to resolve this conflict.

Ms. KAPTUR. Mr. Speaker, reclaiming my time, I thank the chairman very much for his leadership on this entire measure. Congratulations on a fine bill, and I want to thank the gentleman from Ohio [Mr. STOKES], the ranking member, as well.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN], a very diligent and effective member of our subcommittee.

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of the conference agreement. I especially want to congratulate the gentleman from California, Chairman LEWIS, and the gentleman from Ohio, Mr. STOKES,

the ranking member, for their hard work on this bipartisan agreement, and thank their staffers for their excellent work in cooperation.

Mr. Speaker, this bill contains essential funding for our Nation's veterans for protection and preservation of the environment, and for meeting the housing needs of our older citizens, as well as citizens with disabilities, and for exploration and scientific research.

While I am pleased that this agreement provides full funding for our veterans health care system, I remain concerned about the way the VA is distributing these funds among their new network system and the effect it may have on our veterans in the Northeast, their access to medical care. That is why I am pleased that this agreement asks the General Accounting Office to review the network system and provide Congress with a report in 9 months on its findings. I look forward to the GAO's analysis.

In addition, this conference report contains increased funding for the EPA's Superfund program, and having visited 11 sites in my district over the last 2 weeks, I am very pleased that the committee has provided an additional \$100 million, for a total of \$1.5 billion. As I have said on previous occasions, there remains a desperate need to reform the Superfund program. With this agreement Congress is telling the EPA that we are committed to cleaning up these sites, and at the same time urges the EPA to work with Congress to reauthorize this important program.

As detailed in a recent GAO report, the current program spends less than 49 cents of every dollar on actual cleanups. This is simply not acceptable. When our citizens ask where the money is for cleanups, the answer is, the money is there, it is just not used, or in many cases not being used wisely and effectively. I remain optimistic, nonetheless, that by working together this program can achieve its goal of cleaning up all sites across America.

In summary, Mr. Speaker, this is a good, balanced conference report. I urge my colleagues to support it.

Mr. STOKES. Mr. Speaker, I am pleased to yield 4½ minutes to the gentleman from West Virginia [Mr. MOLLOHAN], a very valuable and hard-working member of our subcommittee.

Mr. MOLLOHAN. Mr. Speaker, I would first like to express my gratitude to the gentleman from Ohio [Mr. STOKES], the ranking minority member, for his hard work on this committee and the leadership he has provided. I have held him in high regard ever since I came here, and I appreciate his good efforts, and for yielding this time to me. Likewise, I would express my appreciation to the chairman of the committee for the excellent work he has done on this bill. I am pleased to join him and the gentleman from Ohio [Mr. STOKES] in supporting it.

Mr. Speaker, I rise for a colloquy with the chairman.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I am happy to participate in a colloquy with my colleague and member of the committee.

Mr. MOLLOHAN. First of all, I thank the chairman for agreeing to participate in this colloquy to discuss how EPA will proceed with the particulate matter research program. This program will determine the scientific soundness of EPA's newly announced national ambient air quality standards, and will ensure that the regulations promulgated under these standards are based on solid scientific evidence.

As we know, EPA has been criticized for its handling of the current research program. This criticism has undermined the credibility of the stated research results, and this in turn has called into question the recently finalized standards. While we want to move forward on air quality improvement, it must be justified, because the economic dislocation associated with the promulgation of new regulations is very real.

The chairman is to be commended for the inclusion of the \$49.6 million in the conference report for the express purpose of developing a fair and comprehensive particulate matter research program. He is also to be commended for directing the National Academy of Sciences to develop and oversee the implementation of this research program and to periodically report back to the Congress. This process should give credibility to the program and foster confidence in research results, thereby laying a consensus scientific foundation for the standard-setting and promulgation of regulations.

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Since the National Academy of Sciences has until April 1998 to complete this planning agenda, and since EPA will continue research activities until then, I would like to clarify how EPA will proceed with this research program in the interim.

Mr. Chairman, I know that it is very likely that EPA will obligate some of the 1998 research funds before the completion of the National Academy of Sciences' planning agenda. It is important that when EPA does obligate funds, it does so in the spirit of the gentleman's directive, applying the principles of diversity and scientific integrity, and I ask if the gentleman would agree.

Mr. LEWIS of California. Mr. Speaker, if the gentleman would yield, I would respond by saying to my colleague that I very much appreciate his involvement in this critical issue, a critical issue to us, those of us who

focus on this problem in the Congress, but to the country as well.

Mr. Speaker, I would respond further to the gentleman by saying that I agree that EPA has worked closely with us in developing the particulate matter research program outlined in H.R. 2158. They have pledged to fulfill the requirements in the statement of managers to the best of their ability. I expect them to exercise sound judgment in the distribution of funds and be prepared to reorient certain of their efforts upon completion of the NAS research plan.

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, it is my understanding that the research program described in the report is intended to build on activities currently underway at EPA at the National Institute for Environmental Health Sciences, the National Academy of Sciences, the Health Effects Institute, and many other public and private entities.

Mr. Speaker, I would ask the gentleman from California whether we can be assured that EPA will establish diversity among the researchers such that all stakeholders should feel comfortable with the composition of the research community which would give credibility to the results of the research.

Mr. LEWIS of California. Mr. Speaker, if the gentleman would yield further, certainly the gentleman is correct. The legislation, in fact, directs EPA to ensure that quality researchers participate in broadly based, comprehensive, competitive, and peer-reviewed research programs. Only when we bring together a diverse community of the best scientific minds on this matter, both inside and outside of government, can we feel assured that science is being used to lay a credible foundation for policy.

Mr. Speaker, I very much appreciate the gentleman allowing me to participate in this colloquy.

Mr. MOLLOHAN. Mr. Speaker, again reclaiming my time, I thank the gentleman from California for his leadership in this matter and for these clarifications.

Mr. LEWIS of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona [Mr. STUMP], the chairman of the Veterans' Affairs Committee.

Mr. STUMP. Mr. Speaker, I rise in strong support of the conference report on H.R. 2158, and I particularly want to commend the gentleman from California [Mr. LEWIS], the chairman of the Subcommittee on VA, HUD and Related Agencies, for his insistence that veterans programs be funded at adequate levels.

Mr. Speaker, I also commend the gentleman from Ohio [Mr. STOKES] for his effort on behalf of the veterans, and I urge my colleagues to support this report.

Mr. STOKES. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. BROWN], the distinguished ranking member of the Committee on Science.

Mr. BROWN of California. Mr. Speaker, I commend the gentleman from Ohio [Mr. STOKES] and the gentleman from California [Mr. LEWIS] for the excellent work that they have done in bringing this bill before us.

Mr. Speaker, I do not want to be overly enthusiastic, but in the roughly 32 years that I have worked with this committee, I think from the standpoint of the Committee on Science we have probably reached some sort of a peak of efficiency and effectiveness and concern and sharing. I want to say that I am grateful for this situation and hope that it can continue.

I, of course, as the chairman indicated, am the ranking member on the Committee on Science, which deals with a number of the programs contained in this bill, NASA, FEMA, EPA, NSF, as far as the research elements are concerned. I want to say that I feel that in every case these programs have been treated with sensitivity. Where there are problems within the agencies, they have been recognized and efforts have been made to guide them in the right direction.

And we will continue to have problems, of course, with some of these agencies, NASA and EPA, perhaps amongst the most, and we will need to continue to give them guidance and assistance in achieving their goals.

Mr. Speaker, I want to also indicate that for many, many years I have had a deep interest and a high priority in the areas of housing and veterans' concerns. I served 8 years on the Committee on Veterans' Affairs, and, again, I compliment the committee for the excellent way in which they have handled these. I am not as directly involved, but I am as deeply concerned about these programs as I am with the programs with research.

So, Mr. Speaker, I look forward to our continued cooperation. I will not indicate the scientific items on which I am extremely grateful for the chairman and the ranking member's concern, but I think they know what they are. But overall, I think the important message is that this committee in this bill has done more for research and development than the Administration has asked for. I have been critical of the Administration because I felt that it was shortchanging some of these very important investments, and we are now on the right track.

Mr. Speaker, I submit for the RECORD an article from the latest issue of Science magazine, the organ of the American Association for the Advancement of Science, which is headlined: "Friendly Finish Looms on Spending." Mr. Speaker, this article points out, if I may quote the first couple of sen-

tences, "Congress is proving kind to most federal science and technology programs as it wraps up work on the 1998 budget."

I include the full article for the RECORD.

[From Science, Oct. 3, 1997]

FRIENDLY FINISH LOOMS ON SPENDING

(By Andrew Lawler)

Congress is proving kind to most federal science and technology programs as it wraps up work on the 1998 budget. The National Science Foundation (NSF) can look forward to a 5% boost in research, spending for defense R&D will rise enough to cover inflation, and most technology programs that the Republican Congress loved to hate only a year ago have sailed through both houses.

But some of the details are not so rosy. Cash-strapped NASA, for example, faces another delay in the space station. Congress also ordered the Department of Energy (DOE) to postpone for at least a year the restart of a troubled reactor used by neutron scientists at Brookhaven National Laboratory in Upton, New York. And it failed to grant NSF's wish to build a polar cap observatory near the magnetic North Pole.

Here are some highlights of the appropriations bills that emerged from joint House-Senate conferences last week. They must still be approved by each body and signed by the president:

NSF: The good news is that the agency's research account will increase by \$113 million to \$2.55 billion. The bad news is that NSF must spend \$40 million of that increase on a plant genome initiative, a project promoted by agricultural lobbyists and championed by Senator Kit Bond (R-MO) that was not part of NSF's request (Science, 27 June, p. 1960). The agency's education programs will receive \$633 million, a 2% rise that doubles the request.

The toughest decisions came in the agency's account for large facilities. Legislators did not fund a \$25 million polar cap observatory to study solar-upper atmosphere interactions, asking for more information on the proposed site near the magnetic North Pole in northwest Canada. Senator Ted Stevens (R-AI) wants the facility built at an Alaskan defense lab, which scientists say would greatly reduce its value. But conferees added \$4 million to complete the twin Gemini telescopes and maintained initial funding for the \$200 million millimeter array. And they voted \$70 million for a new South Pole station, a compromise between the Senate's \$25 million increment and the House's \$115 million that would have funded the full cost of construction. They also dropped a House plan to give \$5 million more to two super-computer centers being phased out.

NASA: The space agency received \$13.65 billion, \$100 million above the request and close to the 1997 level. But that windfall won't go far, as the agency failed to win approval to move money from other accounts into the station budget to meet cost overruns. Lawmakers like Senator Barbara Mikulski (D-MD) worried that other programs—particularly the space shuttle and science efforts—would suffer as a result, so it severely restricted the agency's flexibility. Congressional sources say the language is intended to force the Administration to request a bigger NASA budget, but NASA managers aren't heartened. "We're in a bad situation," says one. "This would force a slip in the station's schedule."

Mikulski also insisted that NASA use more competitive methods to distribute money set

aside for programs such as New Millennium, a new program administered by the Jet Propulsion Laboratory in Pasadena, California, that aims to test advanced technology for future space science missions. That move could open the door for Johns Hopkins University's Applied Physics Laboratory in Milulski's home state.

DOE: There were few surprises in DOE's final 1998 budget, which meets the Administration's \$2.36 billion request for science programs. Conferees did give high-energy physics and nuclear physics slight increases, and added nearly \$25 million for several pork-barrel projects in biological and environmental research. DOE can continue to clean up the leaking High-Flux Beam Reactor at Brookhaven, but is forbidden from spending money on restarting it for 1 year, Martha Krebs, DOE energy research chief, says the reactor would not have been ready for a restart then anyway, but that decision on its future is due in January. However, opponents may try to extend the provision next year.

Environmental Protection Agency: The agency's science and technology account appears likely to receive \$15 million more than the president request and \$80 million above the 1997 level. But the \$630 million figure includes \$23 million more for a research program on the health effects of particle air pollution, with advice from the National Academy of Sciences. The conferees discarded proposals from the House to funnel this money through other agencies and a Senate plan to set up university-based research centers.

Defense Department (DOD): Funding for basic science at DOD has survived a roller-coaster ride to finish at about the same level—\$1.08 billion—as this year. Applied research funds will increase 8.9% to \$3.1 billion. This category includes grant money for university research activities, which increases by 7% to \$230.8 million. Total R&D at the Pentagon rises 3.5% to \$37.9 billion. In addition, the conferees have retained several popular biomedical programs, including \$135 million for breast cancer studies and \$45 million for prostate cancer research. "It's a mixed bag," says analyst George Leventhal of the Association of American Universities.

Meanwhile, the massive bill that includes funding for the National Institutes of Health was still in limbo after legislators met last Friday. Biomedical advocacy groups hope the conferees will split the difference between the House's offer of a 6% increase and the Senate offer of a 7.5% raise.

Mr. LEWIS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. WALSH], the chairman of the Subcommittee on Legislative Appropriations.

Mr. WALSH. Mr. Speaker, I rise in strong support of this conference report, and I congratulate the gentleman from California [Mr. LEWIS], the chairman, and the gentleman from Ohio [Mr. STOKES], the ranking member.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Iowa [Mr. LEACH], the chairman of the Committee on Banking and Financial Services.

Mr. LEACH. Mr. Speaker, with reservation I rise today in support of this conference report.

Mr. Speaker, let me begin by offering my appreciation to the gentleman from

California [Mr. LEWIS], my friend and colleague, as well as the gentleman from Ohio [Mr. STOKES], the ranking member, for their work in completing what is clearly a strong bipartisan agreement.

I would also like to thank the gentleman from New York [Mr. LAZIO], chairman of the Subcommittee on Housing and Community Opportunity, for his exceptional work in helping craft a solution to the problem of expiring section 8 multifamily housing contracts. The dedication of the gentleman from New York and the gentleman from California [Mr. LEWIS] to sound housing and community development policy is a credit to their respective chairmanships.

Mr. Speaker, so there is no misunderstanding, current section 8 programming symbolizes Congress being placed by prior Congresses in a catch-22 where good public intentions have, in too many cases, crossed wires with imperfect private sector motivations, which in turn have been exacerbated by unrealistic legislation.

The deferred obligations implicit in section 8 housing present Congress with an untenable choice: Either walk away from projects that serve hundreds of thousands of needy people, many of whom are elderly, or accept funding obligations far in excess of those originally conceived.

The end effect of the current program has been the classic scheme of advancing programs for the moment, with huge deferred funding liabilities. Those liabilities have now come due and are stretching the congressional budget process in an unseemly as well as expensive manner.

Mr. Speaker, from the authorizing committee's perspective, we have attempted to devise an approach correcting the deferred liability schematics of the past. It is clear that the status quo is unfair to taxpayers and unfavorable to tenants. Owners, on the other hand, have unintentionally been provided cost-plus incentives to maximize return without necessarily paying adequate attention to property maintenance.

The section 8 reforms presented by the Senate for consideration by the Committee on Appropriations were clearly improvements over the current system, but the House authorizing committee, in negotiations with the Senate, took the position that the public treasury would still be at risk and tenants in jeopardy unless systems were put in place that took owners out of the driver's seat.

Hence, the authorizing committee developed a legislative approach based on three broad premises: One, full and fair competition among administrative entities with a greater emphasis and utilization of nonprofit institutions; two, greater empowerment opportunities for program participants and the

assumption that the greater the choices allowed tenants, the greater the accountability of landlords; and, three, stronger protections against potential fraud and abuse by building checks and balances into Administration decision-making.

Some of our approaches were embraced by the appropriations conference. We cannot say, however, that our concerns have fully been met or that we have been pleased with all of the processes of consideration that have taken place.

Finally, Mr. Speaker, let me just say I must express some concern with the significant number of targeted special purpose grants included in this report. At issue are questions of judgment as well as the proper constitutional role of the Congress, which may in the end be embarrassed by a President exercising proper line-item veto authority.

Mr. Speaker, with reservation I rise today in support of the fiscal year 1998 VA, HUD and independent agencies appropriations conference report.

Let me begin by offering my appreciation to my friend and colleague from California, the subcommittee chairman, and the ranking member from Ohio for their work in completing the bipartisan agreement we have before us today.

I must also thank the Housing Subcommittee chairman from New York, Mr. LAZIO, for his exceptional work in helping craft a solution to the problem of expiring section 8 multifamily housing contracts. His and Mr. LEWIS' sincere dedication to sound housing and community development public policy are a credit to their respective chairmanships.

So there is no misunderstanding, current section 8 programming symbolizes Congress being placed by prior Congresses in a catch-22, where good public intentions have in too many cases crossed wires with imperfect private sector motivations which in turn have been exacerbated by unrealistic legislation. The deferred obligations implicit in section 8 housing present Congress with an untenable choice: Either walk away from projects that serve hundreds of thousands of needy people many of whom are elderly, or accept funding obligations far in excess of those originally conceived.

The end effect of the current program has been the classic scheme of advancing programs for the moment, with huge deferred funding liabilities. Those liabilities have now come due and are stretching the congressional budget process in an unseemly as well as expensive manner.

The goal of the multifamily restructuring legislation contained in title V of the conference report is to reform today's system, but also to assure that taxpayers and tenants are better protected in the future.

In my view, this can only be done if it is clear to landlords that their ownership is jeopardized both by financial profligacy and by ill-service to tenants. Hopefully, the conference report lays out a legislative scheme which allows the Government to more easily say "no" and to allow intervention by nonprofits, as well as alternative voucher approaches. In my

judgment, without the possibility of Government intervention and vouchers, imperfect landlords will be given free rein.

A key element under the multifamily restructuring program is the determination of rents for comparable properties, or market rents. The conference report provides that "where applicable" comparable properties should be located in the same market area as the section 8 project. Thus, the conferees recognize that it may not be possible to find comparable properties in some areas. This is particularly true for projects in rural communities, and especially for specially designed properties for the elderly. In those cases the appraiser could look to other areas to locate comparable properties.

From the authorizing committee's perspective, we have attempted to devise an approach correcting the deferred liability schematics of the past. It is clear that the status quo is unfair to taxpayers and unfavorable to tenants. Owners, on the other hand, have unintentionally been provided cost-plus incentives to maximize return without necessarily paying adequate attention to property maintenance.

The section 8 reforms presented by the Senate for consideration by the Appropriations Committee were clearly improvements over the current system, but the House authorizing committee in negotiations with the Senate, took the position that the public treasury would still be at risk and tenants in jeopardy unless systems were put in place that took owners out of the driver's seat.

Hence the House authorizing committee developed a legislative approach based on three broad premises: first, full and fair competition among administrative entities with a greater emphasis on utilization of non-profit institutions; second, greater empowerment opportunities for program participants on the assumption that the greater choices allowed tenants, the greater the accountability of landlords; and third, stronger protections against potential fraud and abuse by building checks and balances into administration decisionmaking.

In this regard, it is interesting to note that the House authorizing committee's legislation scored savings of \$759 million in fiscal year 1998 according to CBO, almost \$200 million more than the Senate legislation. The Appropriations Conference unfortunately chose to lean to the Senate approach. Nevertheless, from an authorizing committee perspective, we are pleased that reform is underway and that some of our approaches were embraced by the Appropriations Committee.

We cannot say, however, that our concerns have been fully met or that we have been pleased with all the processes of consideration that have taken place.

Finally, I must express my concern with the significant number of targeted special purpose grants included in the conference report. For instance, almost 130 separate communities or projects will receive exclusive funding grants totaling more than \$100 million in carve-outs under the \$138 million Economic Development Initiative program. I must urge my colleagues to carefully consider the implications of stipulating so many projects for funding. At issue are questions of judgment as well as the proper constitutional role of a Congress, which

may, in the end, be embarrassed by a President exercising proper line-item veto authority.

We in Congress are simply obligated to recognize that there is a place for professionalism in executive departments like HUD where individual program priorities should be set. Congress' role should be to pass broad laws with definitive policy parameters. Individual program decisions, on the other hand, should largely be left to the executive branch.

Mr. STOKES. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. KUCINICH], my friend and distinguished colleague who shares the representation of Cleveland, Ohio, with me.

Mr. KUCINICH. Mr. Speaker, I first want to congratulate the gentleman from California [Mr. LEWIS] for the work which he has done on this important appropriations bill. I also thank the gentleman from Ohio [Mr. STOKES], my friend, for sharing his knowledge and understanding of the process with me to enable me to more effectively participate as a freshman.

Mr. Speaker I rise in support of the conference agreement on the fiscal year 1998 VA-HUD appropriations bill. This bill provides \$13.6 billion for the programs in the National Aeronautics and Space Administration, which fully funds the President's request, including the National Aeronautics and Space Administration's aeronautics program, and also provides for the work associated with Lewis Research Center, which I am proud to say is served by the gentleman from Ohio [Mr. STOKES], the gentleman from Ohio [Mr. LATOURETTE], the gentleman from Ohio [Mr. BROWN], and myself and the entire Ohio delegation.

I am pleased that the conference agreement provides increased funding for the International Space Station. This action by the Congress will help to keep the Space Station on schedule.

The bill also provides essential support for Mission to Planet Earth, the NASA program which will enable a system of Earth observing satellites to study global climate change.

In this Congress, we have seen important debates about the future of NASA and the International Space Station. This fiscal year 1998 appropriation will enable the agency to continue its progress on exploring the last frontier, the frontier of space, while bringing back to Earth the technological benefits of that exploration.

Mr. Speaker, for this I commend this bill to my colleagues and urge its support. And I want to express my continued appreciation to the men and women of the National Aeronautics and Space Administration for their vision, for their attention to detail, and for their commitment to our country.

Mr. LEWIS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, I want to be sure that my understanding of the

provisions in the bill before us is correct. As I read the bill, it appropriates \$2.15 billion for the Superfund program, but \$650 million of that money is effectively held in reserve. I ask the gentleman from California if that is correct.

Mr. LEWIS of California. Mr. Speaker, if the gentleman would yield, that is correct.

Mr. OXLEY. Mr. Speaker, reclaiming my time, let me further be sure that I understand the two events that are necessary to unlock the funding. First, the money will only be available after October 1, 1998; is that correct?

Mr. LEWIS of California. Mr. Speaker, if the gentleman would again yield, that is correct.

Mr. OXLEY. Mr. Speaker, again reclaiming my time, second, let me be very clear in how I ask this question. The money will only be available at that time if we enact comprehensive Superfund reform; is that correct?

Mr. LEWIS of California. Mr. Speaker, if the gentleman would continue to yield, the language requires that Superfund be reauthorized by May 15, 1998, in order to receive the additional funds. It certainly is my intent that such a reauthorization be comprehensive reform of the Superfund law.

Mr. OXLEY. Mr. Speaker, again reclaiming my time, is the committee trying to tell us that it shares our strong desire for fully funding toxic waste cleanups?

Mr. LEWIS of California. Mr. Speaker, the gentleman is correct.

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Mr. OXLEY. So if we fix it, the Committee on Appropriations will fund it?

Mr. LEWIS of California. Mr. Speaker, that is correct.

Mr. OXLEY. Mr. Speaker, I thank the gentleman for his time. We will get a new law as soon as we can.

Mr. LEWIS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama [Mr. BACHUS].

Mr. BACHUS. Mr. Speaker, the Subcommittee on General Oversight and Investigations of the Committee on Banking and Financial Services undertook an investigation of the CDFI fund in the past year. As a result of that investigation, the two top officials of that fund have resigned. I have been working with the Committee on Appropriations to legislate some safeguards to end the type practices which resulted in their resignation. Among these practices, one that continues to go on is they still are paying outside consultants, one, \$217,000 for a 15-month period. I am happy to report to this body today that the Committee on Appropriations and this conference report, this conference report has addressed most of these concerns.

There is, however, one concern that I think we are leaving hanging out

there. I do not think it was an intentional thing. I think it was just the conference language unintentionally may not have taken care of that.

Mr. Speaker, I wish to yield to the gentleman from California [Mr. LEWIS] for the purpose of engaging in a colloquy concerning this practice of hiring outside contractors.

Mr. Speaker, is it correct that the VA-HUD conferees sought to curtail the exorbitant use of management consultants and outside consultants at the CDFI fund? As we know, they spent a little over \$2 million this past year.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. BACHUS. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, the gentleman is correct.

Mr. BACHUS. That being the case, would the gentleman join me in a request to the Department of Treasury that it immediately bring its contracting practices at the CDFI fund into conformance with the intent of the VA-HUD conference report language, that being that contractors, outside contractors not be paid more than the ES-3 rate?

Mr. LEWIS of California. Mr. Speaker, if the gentleman will continue to yield, that is my intention and I will be happy to join the gentleman.

Mr. BACHUS. Mr. Speaker, I have shared with the gentleman my concern, and I ask the gentleman and the committee to support me in separate legislation to achieve the goal of limiting abusive contracting practices at the CDFI fund. I intend to introduce legislation.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate the gentleman's leadership on this matter. I will be happy to join him.

Mr. BACHUS. Mr. Speaker, I thank the gentleman from California.

Mr. Speaker, the Banking Oversight Subcommittee has conducted a review of the procedures of the CDFI fund administered by the Department of the Treasury. I think it is safe to say there is a consensus that the CDFI fund operated with very few safeguards against abuse during its first round of awards in 1996.

I am pleased that these concerns have been addressed in the VA, HUD, and independent agencies conference report. However, this conference report fails to address one area of concern.

One area of abuse by the CDFI Fund brought to the attention of the Appropriations Subcommittee is the exorbitant use of so-called management consultants by the CDFI Fund. In less than 2 full fiscal years, the CDFI fund has paid out approximately \$1.2 million to these management consultants. Our review has shown that contracts were handed out without full or open competition to a network of contractors. Certain of these contracts are truly sweetheart deals: one consultant alone was paid \$216,713.41 for part-time work over a period of approximately 15 months.

I appreciate that the VA, HUD, and independent agencies conferees seemed to recognize this problem and attempted to place limits on the amounts the CDFI Fund pays to outside contractors. The conference report to H.R. 2158 provides funds for the CDFI fund "including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES-3.

Unfortunately, the conferees seemed to have failed in their goal of closing this loophole. The conference report language will have no impact whatsoever upon abuse of contracting authority by the CDFI fund as it is limited solely to the CDFI fund's use of contractors retained under 5 U.S.C. 3109. Although much confusion remains concerning the procedures used by the CDFI fund in selecting outside contractors and fixing their compensation, the one thing that has been established is that the CDFI fund did not rely upon 5 U.S.C. 3109 in retaining its contractors. As a result, the conference report fails to place any limitations upon the CDFI fund's use of contractors.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. STOKES. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. PRICE], a very distinguished and valuable member of the subcommittee.

Mr. PRICE of North Carolina. Mr. Speaker, I am proud to support this conference report. As a new member of this subcommittee, I am grateful to both the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES] for their evenhanded bipartisan work in putting together this difficult piece of legislation.

The bill has broad support from both parties and in both Chambers. In numerous ways this conference report addresses our Nation's critical priorities. For example, the report increases the appropriation for veterans' medical care to \$17.7 billion, higher than either House initially approved, with \$600 million coming from medical care cost recovery sources.

The report increases funding for the HOME program at the Department of Housing and Urban Development to \$1.5 billion, \$109 million above last year's level. The HOME program allows those providing affordable housing to use Federal block grants to leverage private sector money with a minimum of unnecessary regulation. It is an efficient and a practical way to open up homeownership to thousands of Americans. I am pleased that in a tight budget year we were able to find additional resources for HOME.

Funding for the EPA at a level of \$7.4 billion is more than \$500 million above the fiscal 1997 level. The budget for EPA includes \$3 million for research and monitoring of *Pfiesteria*, an environmental threat that even now, the full dimensions of that threat are not known to us. In addition, nearly \$50 million of the funding at the EPA is for

research on fine particulate matter. Many of us may have differences over the new clean air regulations. No one can argue with the necessity of doing research to determine exactly what standard is justified.

Within the FEMA section, I was pleased that language that would have restricted States and municipalities from using disaster relief to clean up streams and parks and beaches was removed, giving full flexibility for the use of these funds which have been critical in allowing my State to recover from last year's devastation caused by Hurricane Fran.

The National Science Foundation receives a healthy 4.7 percent increase to a level of \$3.4 billion. I am particularly pleased that in that NSF budget we have given good support to the Advanced Technology Education program, which for the first time has the NSF working effectively with our Nation's community colleges.

I am very appreciative, Mr. Speaker, of the leadership of the gentleman from Louisiana [Mr. LEACH] and the gentleman from California [Mr. LEWIS], the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Ohio [Mr. STOKES]. I want to add my appreciation for the excellent staff work that has been done on this bill, as fine as any I have ever seen. The help I received, particularly from Frank Cushing and Valerie Baldwin on the majority side, Del Davis and David Reich on the minority side, has been absolutely invaluable.

I urge my colleagues to support this conference report. I assure them they can do so with confidence.

Mr. STOKES. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY], distinguished ranking member of the full Committee on Appropriations, who has been of great assistance to both me and the gentleman from California [Mr. LEWIS] as we developed this bill and took it through to the point where we now bring it.

Mr. OBEY. Mr. Speaker, let me make clear that I think that this bill is very much short of what we need in a variety of areas, including environmental protection, housing and veterans' care. The problem, however, is that this committee was constrained in its ability to meet those needs by the budget agreement, and given that fact, I think the committee has done a perfectly reasonable job.

I am especially pleased by the fact that the committee did not do what is often done in this place, which is to dump amendments that are adopted in the House once they go to conference on important matters. I am happy that the committee retained the spirit of the amendment that I offered when this bill was on the floor, which removed a good many millions of dollars for the insider deal on the wind tunnel

and instead transferred that money to veterans' funding so that we could do a better job of providing for veterans' health care.

I am pleased that the committee retained the spirit of that amendment in conference and wound up providing a higher amount for veterans' health care than was in the original administration request or the committee bill. I appreciate that action on the part of the gentleman from California [Mr. LEWIS] and the gentleman from Ohio [Mr. STOKES] and the committee.

Mr. STOKES. Mr. Speaker, I yield myself such time as I may consume.

I have no further requests for time. I will just take a moment once again to express my appreciation to my chairman, the gentleman from California [Mr. LEWIS] for the excellent manner in which we have been able to work together and bring this legislation to the floor. I think both of us take a great deal of pride in the fact that we think that our work together is a model for this institution and the manner in which bipartisanship can bring to the floor the kind of legislation that all of us can support. I do support this conference report, and I do urge all my colleagues to vote for it.

Mr. Speaker, I yield back the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Let me echo my colleague's remarks about the bipartisanship of the work that we have done together. I want to express my appreciation to the gentleman from Wisconsin [Mr. OBEY], ranking member of the full committee, certainly the gentleman from Ohio [Mr. STOKES], my colleague. I am very appreciative of the help of the gentleman from Louisiana [Mr. LIVINGSTON], as well as all of our staff.

I would just note one item. The bill is a very complex bill, as we have suggested. We have operated in a circumstance where a very high percentage of our bill has not been authorized, in some instances for several years. It is very important, to help us with that work, that our authorizing committees go forward with their work as well. We will try to work with them positively in the next Congress or the next go around. Without authorization, it is very difficult to reflect all the needs of the Members of the House.

Mr. FAZIO of California. Mr. Speaker, I rise today to discuss the health care needs of Northern California's veterans, as the debate on the Conference Report to the VA, HUD and Independent Agencies Appropriations bill comes to a close. Included in the bill is the Department of Veterans Affairs' plan for veterans health care in Northern California. I recommended that the conference committee which negotiated the final version of bill accept and fully fund this plan, and I am pleased that they did.

Serving the health care needs of Northern California's veterans has always been and will

always be one of my top priorities. The Loma Prieta earthquake of 1992 rendered the veterans' hospital in Martinez, CA unusable, and for the last several years I have worked with my colleagues in the House, the veterans in my district and the Veterans Administration to ensure the veterans in the area receive the medical care that they deserve. Since the Martinez Hospital closed, I have relied heavily on the input and feedback from the local veterans community, represented by Operation VA. Without question, Operation VA has been the voice of the veterans community, and their tireless commitment to this cause has kept the issue in the forefront for the last several years.

This has been a long hard fight. In 1994 and 1995, I worked with my colleagues in the House to secure funding for a new veterans hospital to be built at Travis Air Force Base, but several studies were commissioned that recommended against construction of a new hospital at Travis. The recommendations of the most recent study, completed by Price Waterhouse, did not adequately address the needs of Solano County's veterans. Working together with area veterans, led by Operation VA, through hard and dedicated work, we were able to convince the VA and Congress that the Price Waterhouse recommendations were an insult to the men and women in the Travis area who are dependent on the VA to address their health care needs. We persuaded the VA to re-evaluate the needs of the Travis area veterans. To that end, they recommended the Air Force give one-third of Travis's David Grant Medical Center's inpatient beds to the VA creating a wing that will be staffed by VA doctors and they recommended a comprehensive VA outpatient clinic at Travis.

This bill includes funding and a commitment that will allow Travis to become a viable veterans health care center. This is a bittersweet victory because while we fell short of our ultimate goal of a full fledged hospital at Travis, we were able to secure much more than the Price Waterhouse report recommended and our Congressional opposition was willing to provide us. I will continue to fight to make sure that the long-term health care interests of Solano County's veterans are addressed and I will work to make sure everyone involved honors their commitments.

Mr. DOYLE. Mr. Speaker, I would like to express my strong support for a provision in H.R. 2158, the fiscal year 1998 VA-HUD funding bill that would significantly improve the health care provided to the veterans of Western Pennsylvania.

Language included in this measure would allow the University Drive VA Medical Center (VAMC), located in Pittsburgh, PA, to go ahead with plans to renovate a number of the hospital's patient rooms and support facilities. The improvements are planned for the main building of the University Drive facility, which has not been significantly changed since it was built in 1954. The renovations will bring the medical center up to VA minimum standards for life safety, patient privacy and handicapped accessibility. Additionally, these changes are required to more adequately meet the needs of the increasing number of female veterans who are being treated at the medical center.

This project would improve the overall quality of health care provided at the University Drive VAMC, a facility that plays an important role in VA health care, not only in the Pittsburgh area where I live, but across the entire Veterans Integrated Service Network 4 (VISN 4) region. In addition to serving as the primary medical facility for many of the veterans in my district, the University Drive facility serves as a major medical-surgical tertiary care center for the entire western Pennsylvania VA health care network. The facility also operates a number of specialty services, such as liver transplantation, that benefit veterans across an even wider geographic area.

Even though the University Drive VAMC holds significant responsibilities within the VA health care system, current conditions at the facility are making it increasingly difficult for hospital staff to continue to provide high quality medical care. This past Spring, I revisited the facility and toured the main building where the renovations are planned. The conditions that I found, which would be alleviated under the renovation plans funded by this bill, would not be tolerated for a single day in a private hospital environment, let alone the years that such conditions have been present at University Drive.

The University Drive facility has patient rooms with such limited space that a patient must be removed from the room when another patient is brought in on an emergency room gurney to share that room. In other patient wards, as many as 16 veterans share quarters, with limited space and only hanging cloth screens between them. Congregate bath facilities create additional dilemmas for patients and hospital staff, especially with the number of female veterans being treated at the facility increasing. These and other problems associated with the aging building not only inconvenience patients, but also put unnecessary obstacles in the path of hospital employees and their efforts to provide quality medical care to these veterans. Such conditions are certainly not consistent with how we should be honoring and caring for our nation's veterans.

The VA health care system is a very important part of the Pittsburgh community. Our area has one of the largest populations of veterans in the Nation. Thus, VA benefits and services, including health care, have played a large part in the lives of many of our residents.

One of the things I am proudest of about the people of western Pennsylvania is that they understand the gifts our Nation's veterans have given to them. They realize that it is because of the sacrifices our veterans have made on battlefields around the globe that our Nation has been able to prosper, and this prosperity has allowed us to enjoy, among other things, a medical system that is one of the best in the world. I am pleased that H.R. 2158 would finally allow the veterans of western Pennsylvania to share a piece of that medical prosperity, a benefit that they helped secure for the rest of the Nation, and one that is long overdue to the veterans of western Pennsylvania.

Mr. PAYNE. Mr. Speaker, I would like to take this opportunity to commend the Chairman and Ranking Member of the VA/ HUD and Independent Agencies Subcommittee for their hard work on this important funding bill. In addition to the crucial funding for affordable

housing, especially Section 8 units for low-income and the elderly, the measure includes provisions which will promote economic growth and development in communities throughout the Nation. I want to express my personal thanks for an important investment that my colleagues agreed to make in my home city of Newark. Let me especially thank Chairman JERRY LEWIS, Ranking Member LOUIS STOKES, and my good friend and New Jersey colleague RODNEY FRELINHUYSEN, for their responsiveness to our request to include \$3 million for the restoration of Weequahic Park, a site which has great potential for stimulating our local economy and enhancing the quality of life for local residents.

Improvements in Weequahic Lake, which falls within Newark's Enterprise Community boundaries, make it accessible for families, school children, church groups and other members of the community.

We are all aware of the severe budget restraints under which Congress is operating, but I believe that investments in housing and in our communities are sound investments which will bring considerable future returns. I urge approval of the VA/HUD conference report.

Mr. SHUSTER. Mr. Speaker, I rise in support of the conference report on H.R. 2158, the VA-HUD-Independent agencies appropriations act for fiscal year 1998. This bill provides needed funding for, among other agencies, the Environmental Protection Agency (EPA) and the Federal Emergency Management Agency (FEMA).

First of all, as chairman of the Transportation and Infrastructure Committee which has jurisdiction over EPA and FEMA, I want to thank my colleagues on the Appropriations Committees for their cooperation. In particular, I want to thank the gentleman from California (Mr. LEWIS) for his leadership as chairman of the House Appropriations Subcommittee. As usual, he and his staff have worked hard to accommodate colleagues and produce a reasonable bill. While in a perfect world no Appropriations bill would include authorizations or policy-making provisions, provisions in this bill have generally attempted to take into account concerns of the authorizing committee.

With regard to EPA's clean water and drinking water programs, I would make a few comments and clarifications. I appreciate the efforts of the conferees to provide a level of funding (\$1.35 billion) for the Clean Water Act's State revolving fund (SRF) that is higher than the level requested by the administration. The record compiled by our committee and other speaks for itself; adequate funding to capitalize and maintain clean water SRFs pays enormous dividends in terms of environmental protection and economic development.

I am also pleased to support provisions allowing the so-called "cross-collateralization" between the CWA SRF and Safe Drinking Water Act SRF. This flexibility can be extremely helpful to states as they strive to administer clean water and drinking water programs to meet infrastructure needs. I would note that Senate-passed language was modified in conference to clarify that nothing in the provision authorizes the transfer of funds between the SRFs or in any way conflicts with the combined financial administration provi-

sions in Section 130(g) or transferability of funds provisions in section 302 of the Safe Drinking Water Act Amendments of 1996. In addition, nothing in this provision affects in any way the jurisdiction of or understanding between the House Transportation and Infrastructure Committee and the House Commerce Committee relating to the clean water act, the safe drinking water act, and the two SRF's.

I would also like to clarify provisions regarding the State and tribal assistance grants and accompanying joint explanatory statement of managers. The conferees included funds for wastewater and drinking water system needs in Clearfield, Mifflin, Snyder, and Fulton Counties. Unfortunately, the statement of managers inadvertently omitted the community of Wallace-Boggs as the recipient of \$1,250,000; I have been assured the intent of the conferees was simply to include the language in the report of the House Appropriations Committee which did in fact specify Wallace-Boggs as the recipient. In addition, the reference in the statement of managers to Adams Township should instead be to Union Township. I appreciate the indulgence of my colleagues on the Appropriations Committee for the opportunity to correct this technical error.

Regarding Superfund, I would simply make a few observations. I am encouraged by the contingent appropriation of an additional \$650 million if specific reauthorization of the Superfund Program occurs by May 15, 1998. The Superfund Program doesn't simply need more money. In fact, more money without reform can cause more harm than good. Superfund needs comprehensive, statutory reform and redirection. For too long, the program has been ineffective and unfair, resulting in far too few cleanups and too much litigation. I am hopeful the May 15, 1998 date will help our efforts to move comprehensive reauthorization and reform legislation through the Congress and to the President as soon as possible.

I would also note that the conferees have properly limited the use of Brownfields Grants. Brownfields initiatives are important, but EPA currently has no authority to spend superfund money for remedial actions at facilities that are not on the national priorities list. In addition, Congress must first review and authorize the use of revolving funds before the executive branch proceeds down that path.

Regarding appropriations for FEMA, I am pleased that the conferees resisted language proposed by the Senate prohibiting the use of disaster relief funds in certain instances. I share the conferees' concern regarding the escalating Federal cost of natural disasters but feel that solutions to this problem are better considered as part of a more comprehensive and deliberative reauthorization process.

In contrast, I would note that the uses specified in the statement of managers for portions of the pre-disaster mitigation fund are not authorized. Indeed, existing authority for such a fund is extremely narrow and it seems extremely likely that the vast bulk of the \$30 million appropriated for this fund will be spent on unauthorized projects. I would encourage the appropriations committees and FEMA to work closely with the authorizing committees as these provisions are implemented and as we consider legislation to provide appropriate authority for pre-disaster mitigation efforts.

Mr. Speaker, I urge my colleagues to support the conference report.

Mr. WELDON of Florida. Mr. Speaker, for far too long, the veterans of east central Florida have had to travel great distances to receive quality inpatient medical care. This is an intolerable situation which I have worked hard to change. In the Fall of 1998, a new VA clinic will be opened in Brevard County which will help meet the outpatient medical needs of local veterans. This will be the first ever permanent facility to serve area veterans in east central Florida.

However, the long drives for hospital stays currently continue. That is why I led the effort in the last Congress to allow the VA to contract with local health care facilities for inpatient care. This year, language I wrote with my colleague BILL MCCOLLUM establishing this pilot program was included in H.R. 2158, the fiscal year 1998 VA/HUD Appropriation Bill. The program was funded at the level of \$5 million in the House bill. This language was not included in the Senate version, but the final House-Senate agreement included the provision.

This pilot project represents the wave of the future, a new and more efficient way to deliver quality health care to those who have sacrificed so much for our freedoms. No longer should the brave men and women who served their country selflessly have to travel long distances for quality care. I am confident that this project will be a great success, and will lead to more widespread contracting efforts in the future.

I strongly support this conference report and I urge my colleagues to vote "yes" on behalf of our Nation's veterans.

Mr. LAZIO of New York. Mr. Speaker, I have strong reservations about the legislative approach the conference report takes toward resolving the problem of expiring section 8 multifamily housing projects under HUD. The House first recognized this problem in the 104th Congress by including in the House Budget Resolution language addressing the so-called mark-to-market dilemma. However, the Senate rejected the provision included in that act. Although the House has been working on this issue for the past two years, I remain concerned that legislation of this magnitude was formulated outside of the regular legislative process. Given the complexity of the program, lack of available data, and the short amount of time to negotiate, the authorizing committees or with outside groups have not vetted many of the details. I believe the conference report legislation may lead to unforeseen, unintended consequences.

The legislation included in the report raises a number of problems, including: First, the likelihood that owners will not participate in this program before their contracts expire because of the uncertainties surrounding the tax consequences of mortgage restructuring; second, the inadequate protection and representation of the taxpayer, third, an over-reliance on HUD, the only Federal Agency to be classified as high-risk, which would effectively control the office that administers this program and affects billions of taxpayers' dollars; and fourth, the lack of full and fair competition to select the most qualified entity to work one-on-one with owners in the restructuring process,

leaving housing finance agencies with a virtual monopoly.

UNKNOWN TAX CONSEQUENCES

The uncertainties surrounding the tax consequences of mortgage restructuring may undermine the legislation's effectiveness and ultimately reduce the savings of the reforms. The most responsible mark-to-market approach would motivate owners to restructure their mortgages before their contracts expire. Such proactivity on the owners' part is vital to the savings of the legislation. Under the conference report, owners will likely not participate in the program before their section 8 contracts expire because the tax consequences of mortgage restructuring are uncertain. Therefore, I am concerned not only that the reforms will not achieve the expected savings but, also that a better bill would achieve more savings.

On September 17, 1997, the Subcommittee on Housing and Community Opportunity held a hearing regarding the tax consequences of FHA-insured, section 8 multifamily housing mortgage restructuring. In that hearing, Ken Kies, Chief of Staff of the Joint Committee on Taxation testified that:

Absent legislation or a Treasury announcement clarifying the Federal income tax treatment under any of the HUD restructuring proposals, it is likely that many project owners will not elect to restructure the FHA-insured mortgages before the expiration of their section 8 contracts for fear of incurring immediate tax liabilities. . . . However, it is clear that if all project owners restructure their mortgages under any of the proposals it is likely that some of these taxpayers will recognize taxable income as a result of the transaction. The possibility of such recognition likely will inhibit many project owners from electing to restructure their mortgages under a proposal.

Moreover, under the conference report's legislation, up to 26 percent of the owners may be forced to choose foreclosure over a bifurcated mortgage restructuring or debt forgiveness because of the different tax treatment of the events. A foreclosure would result in increased costs to the taxpayers as well as a loss of valuable affordable housing stock for low-income families, seniors, and persons with disabilities. I do not want to force a decision based on tax issues that could result in low-income families—particularly seniors—being thrown out into the streets. I want the owners to be no better, nor substantially worse off, than they would have been had they not chosen to participate in this program.

LACK OF TAXPAYER PROTECTION AT THE FEDERAL LEVEL

The conference report legislation does not adequately represent and protect taxpayers against fraud and abuse. In 1996, the HUD inspector general concluded that HUD's Office of Multifamily Housing was "not equipped to provide reasonable stewardship over taxpayer funds expended for its programs." In addition, the Department's poor record in administering its existing programs has earned it the designation by the General Accounting Office of being at "high-risk" for waste, fraud and abuse—the only Cabinet-level Agency in history to receive such a designation. In this context, HUD is simply ill-equipped to handle complex financial restructurings so that the American taxpayer is protected. For this reason, I fought for a provision in this legislation

to create an Office of Multifamily Housing Assistance Restructuring [OMHAR], a temporary office within HUD for purposes of administering the mark-to-market program. For any chance of success, the program must be administered by a highly professional staff with the proper technical knowledge, functioning as much as possible at arms-length from the standard HUD bureaucracy.

The Office will be led by a Director appointed by the President, with the advice and consent of the Senate, who must have proven experience in restructuring complex financial transactions. The President is required to choose the Director within 60 days after enactment of this legislation. Funding for the Office shall come from HUD salaries and expenses so there will be no net increase in expenditure of taxpayer funds in connection with the operations of the Office. The Office is limited in scope and mission, established solely to administer the mark-to-market program. Confusion and the possibility of "mission creep" or of being burdened with secondary objectives are thereby avoided. Although the Office will sunset at the end of fiscal year 2001, I expect Congress will need to reauthorize the Office through fiscal year 2003, at which time the majority of project-based contracts will have expired.

OMHAR is the taxpayer's proxy to assure that the restructuring process is administered as professionally and efficiently as possible. For this reason, the Secretary must not interfere with the independent functioning of this Office. I am disappointed that Congress has missed an opportunity to create a truly independent entity that would not be forced to answer to the HUD Secretary. However, as an alternative, this legislation requires the Director to report to Congress immediately on any action or directive by the Secretary that has an adverse impact on the functioning of the Office, or that may undermine its effectiveness. As chairman of the Subcommittee on Housing and Community Opportunity, the relevant authorizing and oversight subcommittee, I have every intention of closely monitoring the Department in this regard in order to ensure that the interests of the taxpayer are not ignored.

LACK OF TAXPAYER PROTECTION AT THE LOCAL LEVEL

The conference report legislation may also negatively impact taxpayer interests at the local level due to the selection process created for choosing participating administrative entities [PAE's]. Under the legislation, PAE's will work with owners to restructure their mortgages, making decisions on the size of the second mortgage and the amount that the mortgage must be written down to create a sustainable bifurcated mortgage. Both of these items will be paid for by the American taxpayer out of the FHA fund. Therefore, the PAE should be the most qualified entity for the job. As discussed in the conference report, such may not be the case. Instead, the selection process in the report gives housing finance agencies [HFA's] an effective monopoly. If an HFA meets minimum qualifications, it must be selected, even if another entity is more qualified. Although in many cases HFA's will be the most qualified entities, there is no reason to give them a priority.

Optimally, HFA's should form partnerships with other entities, such as experienced non-

profits, to better meet the needs of the restructuring program. When an entity is controlling millions of dollars of the Federal Government's budget, it should be the most qualified entity available. We owe that to Americans who work hard every day to pay their taxes. They expect Congress to spend their tax dollars wisely and efficiently. I do not believe that will be done if PAE's are not chosen in an open, competitive process. It is my hope that Congress will reconsider this provision in the near future.

TENANT EMPOWERMENT AND SELF-SUFFICIENCY

One important principle, for which I am gratified that the House conferees adopted the authorizing committee's position, is the greater emphasis on choice-based assistance. Vouchers bring a market mechanism to federally assisted housing by motivating owners to maintain their properties and compete for tenants. I seek to empower tenants before owners or bureaucrats. Tenants with vouchers often have a greater opportunity to reach self-sufficiency by choosing where to live. Rather than being forced to live in projects that are run down and in dangerous neighborhoods, tenants can make decisions based on the school system, the proximity to job opportunities, community safety, and the condition of the apartments. I fully expect that, for a large percentage of eligible projects, project-based assistance will be converted to vouchers, in large part because the legislation allows a 5-year transition period for gradual movement toward tenant-based assistance. This transition will provide owners time to rehabilitate projects and change their image in the communities in order to be financially viable after such a conversion.

CONCLUSION

Regardless of the uncertainty surrounding the unforeseen consequences of enacting the conference report legislation, the Appropriations Committee feels the need to enact legislation immediately to fill a \$500 million shortfall in funding for nonhousing programs. Most parties involved admit that this legislation will need substantial revisions within the next year. Congress should not pass incomplete, flawed bills solely to generate savings for other programs but should, instead, pass good legislation that truly solves the problem.

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND FINANCIAL SERVICES,

Washington, DC, September 23, 1997.

FLOYD L. WILLIAMS,
National Director of Legislative Affairs,
Internal Revenue Service, Washington, DC.

DEAR MR. WILLIAMS: I am writing to seek your guidance on certain tax matters involving one of the most complex issues facing the Banking Committees of both the House and the Senate. As you may know, I refer to the restructuring of the FHA-insured Section 8 multifamily housing portfolio. Recently, I introduced H.R. 2447, the "Multifamily Housing Restructuring and Affordability Act of 1997," which creates a program for mortgage restructurings. Senator Mack has introduced S. 513, which has similar objectives.

With some differences, both bills provide for the use of bifurcated mortgages in restructuring existing debt. Inherent in this approach is the belief that the restructured debt would be excluded from the application of IRS Code Section 7872, based on the temporary regulations under section 1.7872-

5T(b)(5) regarding below-market interest rate loans. One of the required provisions under these temporary regulations is that these below market-interest rate loans be made available under "a program of general application to the public".

The proposed House and Senate legislation apply to projects with FHA debt that meet the following criteria:

1. rents must exceed the rent of comparable properties in the same market area;
2. the project must be covered in whole or in part by a contract for project-based assistance; and
3. the project must be financed by a mortgage insured under the National Housing Act.

In his written testimony before the House Subcommittee on Housing and Community Opportunity on September 16, 1997, Mr. Ken Kies of the Joint Committee on Taxation raised as an issue the possibility that "the HUD refinancing program will not qualify under this regulation on the basis that it is not a program of "general application," but only an offer made to certain owners." Since an integral component of the success of any legislation is an understanding of the likely tax consequences to owners associated with restructuring their Section 8 mortgages, your clarification of the meaning of "general application" in this regard is critical.

I would appreciate your immediate attention to this issue as legislation is moving forward quickly. If the approaches envisioned in either H.R. 2447 or S. 513 do not meet this "general application" requirement, please provide guidance as to what technical modifications are needed. If you have any questions or comments, you may contact Shanie Geddes or Joe Ventrone at 202/225-6634. I look forward to your response.

Sincerely,

RICK LAZIO,

Chairman, Subcommittee on

Housing and Community Opportunity.

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND FINANCIAL SERVICES,

Washington, DC, June 18, 1997.

Hon. ROBERT E. RUBIN,
Secretary, Department of Treasury,
Washington, DC.

DEAR SECRETARY RUBIN: During yesterday's testimony before the Senate Subcommittee on Housing Opportunity and Community Development, HUD Secretary Andrew Cuomo stated that the Department of Treasury believes that the bifurcated mortgage restructuring "tool" included in S. 513, "The Multifamily Assisted Housing Reform and Affordability Act of 1997," would result in an immediate taxable event for most owners. The Secretary went on to note further that "while this provision purports to address owners' tax problems, it is unworkable—thus defeating the larger purpose of the legislation."

Apparently, there remains considerable confusion as to the tax treatment of a soft-second mortgage in the restructuring of FHA-insured mortgages subsidized by Section 8 project-based assistance. The issue of taxation in the mortgage restructuring is vital to the success of any bill that deals with the Section 8 crisis. You addressed this concern in your work on the tax provisions included in the Administration's legislation: H.R. 1433—Housing 2020: Multifamily Management Reform Act, which was introduced in the House by myself and Congressman JOSEPH KENNEDY at the request of the Administration. A workable bill must proactively bring project owners to the bargaining table

early. Based on Secretary Cuomo's testimony, it is unclear that S. 513 would prevent participants in the program from being subject to negative tax consequences in the future, thus discouraging proactive restructuring.

A workable tax treatment of restructuring is critical in this matter. Otherwise, we risk simply perpetuating the FHA multifamily restructuring demonstration programs included in FY1996 and FY1997 appropriations. If the House is to agree to consider FHA multifamily restructuring legislation in expedited procedures (i.e. during the budget reconciliation process), the solution must not be simply an academic exercise that implements incremental change.

Please provide the Subcommittee with a clarification of the Administration's position on the taxation of soft-second mortgages as included in S. 513. Your timely response is critical to solving this dilemma.

Sincerely,

RICK LAZIO,

Chairman, Subcommittee on

Housing and Community Opportunity.

Mr. LEWIS of California. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PEASE). The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 21, not voting 7, as follows:

[Roll No. 505]

YEAS—405

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Billbray
Billirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)

Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crapo
Cublin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette

Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Flake
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly

Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Ingalls
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
LoBiondo

Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalfe
Mica
Miller (CA)
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascarella
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshards
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Rogan
Rogers
Rohrabacher

Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Siskisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Velázquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—21

Ballenger	Kanjorski	Royce
Campbell	McIntosh	Rush
Cox	Minge	Sanford
Crane	Neumann	Scarborough
Ehrlich	Paul	Smith (MI)
Hoekstra	Peterson (PA)	Souder
Hostettler	Roemer	Upton

NOT VOTING—7

Farr	Hilliard	Schiff
Foglietta	Lewis (KY)	
Gonzalez	Rangel	

□ 1630

Mr. SMITH of Michigan, Mr. SCARBOROUGH, and Mr. RUSH changed their vote from "yea" to "nay."

Mrs. NORTHUP, Mrs. ROUKEMA, Mr. ROHRBACHER, and Mr. BLUNT changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FARR of California. Mr. Speaker, I was unavoidably absent on rollcall No. 505. I was hosting an event with Secretary Shalala at the time concerning breast cancer awareness and could not make it back in the Chamber in time to vote. Had I been present, I would have noted "aye."

MOTION TO INSTRUCT CONFEREES ON H.R. 1757, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999, AND EUROPEAN SECURITY ACT OF 1997

Mr. CALLAHAN. Mr. Speaker, I offer a motion to instruct conferees on the bill (H.R. 1757), to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization [NATO] proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. CALLAHAN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1757 be instructed to insist upon the provisions contained in title XXI of the House bill (relating to United States policy with respect to forced abortion and foreign organizations that perform or promote abortion).

The SPEAKER pro tempore (Mr. PEASE). Pursuant to the rule, the gentleman from Alabama [Mr. CALLAHAN]

and the gentleman from Connecticut [Mr. GEJDENSON] each will control 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. CALLAHAN].

Mr. CALLAHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this issue was thoroughly debated yesterday when the Congress chose to instruct the conferees on the foreign operations bill to include Mexico City language.

I support Mexico City language, although I opposed, in a way, the Congress telling us that we ought to be forced to do authorization business in an appropriation bill. Generally, the arguments that take place on the floor are just the opposite.

But since the Congress saw fit, by a great majority, to instruct the conferees on the Committee on Appropriations, sitting and languishing for a couple of weeks in conference is the authorization bill where this issue should be addressed.

It is our understanding that even since yesterday, when the Committee on Appropriations was instructed to act on a policy matter, Senator HELMS has indicated and some of the Members of the House Committee on International Relations indicated that they are not going to be able to maintain this in the conference on the bill that it should be in. So what this does is just simply transfer the responsibility to the party of responsibility.

I do not think there is much need this afternoon to go into the merits and demerits of the pro-life issue or pro-choice issues or the population-control issues. The issue has already been addressed by this House, voted on by this House. All we are doing is making certain that the committee of responsibility act in a responsible manner according to the wishes of the House.

Mr. Speaker, I reserve the balance of my time.

Mr. GEJDENSON. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GILMAN], the chairman of the committee.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Connecticut [Mr. GEJDENSON] for yielding me the time.

Mr. Speaker, I rise in opposition to the motion to instruct offered by the gentleman from Alabama [Mr. CALLAHAN]. I believe the motion is unnecessary. It delays the House from more productive work. The House has already voted five times on the Mexico City policy, and the result is always the same. Mr. Speaker, another vote today repeats the obvious. This will be our sixth vote on the Mexico City policy this very year.

Mr. Speaker, I am also disappointed in this motion. Until yesterday's motion, I was unaware of any motion to instruct to be offered by a member of the majority during this Congress. I

appreciate the interest of the distinguished gentleman from Alabama [Mr. CALLAHAN], the chairman of the Subcommittee on Foreign Operations, Export Financing, and Related Programs, and the work of our Committee on International Relations as it relates to our conference and the issue addressed by this motion.

As the gentleman from Alabama [Mr. CALLAHAN] knows, the resolution of this issue is being addressed by our leadership, by the administration, and by others; and that is an ongoing attempt to resolve the issue.

Our House conferees are not trying to circumvent that process. Indeed, the House, during consideration of H.R. 1757, voted to defeat the Campbell substitute and support the Smith amendment. Our committee's conferees have been trying to do our job under that clear instruction of the House.

Notwithstanding the motion of the gentleman from Alabama [Mr. CALLAHAN], which I just learned of yesterday during his announcement, I believe that our conferees have been doing their work and doing it in line with the wishes of the House. I share the frustration of the gentleman from Alabama [Mr. CALLAHAN]. I believe both committees are working within the same constraints.

Given these constraints, it serves as no useful purpose to imply that our committee is not doing all it can to resolve that issue. I do not believe that the House should have instructed the Committee on Appropriations yesterday on this issue, and I opposed the motion. Likewise, I do not believe we should instruct the committee on this issue.

Accordingly, I oppose the motion, just as I opposed the motion yesterday. I urge our Members to reject the motion by the distinguished gentleman from Alabama [Mr. CALLAHAN].

Mr. CALLAHAN. Mr. Speaker, I forewarn the Members who are interested in speaking, since this issue has been thoroughly debated, even though we have an hour, I do not see a great sense of need to take a full hour, because we have still the motion to adjourn before the House, and I know that we want to adjourn relatively early tonight.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I thank the gentleman from Alabama [Mr. CALLAHAN] for yielding me the time.

Mr. Speaker, I rise in support of the Callahan motion. I do not do that because I fully agree with everything in the Smith amendment. I do not. I agree with about half of it. I do not support the gentleman's amendment to impose Mexico City policy. But I do want to see funding cut off to the United Nations population program so long as they remain in China, because I think that they have a coercive abortion policy in China.

But that is not the main reason that I support this amendment. I support it because if this amendment is to be attached anywhere, it should be attached to an authorization legislation and not an appropriation bill.

My favorite philosopher, as I have said many times on this floor, is Archie, the Cockroach. One of the things Archie said was that, "Now and then, a person is born who is so unlucky he runs into accidents that started out to happen to somebody else."

That is the way our Committee on Appropriations feels on this issue, because this is an authorization issue. It is an issue which ought to be dealt with in that committee, and yet we are now told that the authorizing committee may be dropping this amendment because they think it will make it impossible to pass their bill.

Well, boys and girls, if you think it is going to make it impossible to pass an authorization bill, what do you think it is going to do to the appropriation bill? It does not belong on the appropriations bill. It belongs on the authorization bill, if it belongs anywhere. So, at least to get this debate in the proper venue, I would urge the House to support the motion of the gentleman.

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume.

My friend, the gentleman from Wisconsin [Mr. OBEY], will understand if I, along with most Members who are not on the Committee on Appropriations, do not show him great sympathy for his present plight. We in the authorization committee feel that appropriations members seem to do quite well around here in lots of areas. And I think Archie's little saying may not be as applicable as my friend, the gentleman from Wisconsin [Mr. OBEY], would like us to think.

It is easy to get caught up in the process of what we do here, but the substance is also terribly important. I would say, for both procedural reasons and substantive reasons, we should reject the proposition of my colleague that is before us today.

The substantive reasons are more important than any other, because, after all, we work in this process and process is important, but substance is what brings us to Congress. It is substance that we fight for in the policies, and the substance here is very clear.

As we have been able to expand family planning, we have not only improved the economic situation of the poorest of the poor in this world, we have not only been able to reduce death and injury to the mothers of the children of this world, but we have also reduced abortion, reduced abortion across the globe where U.S. family planning funds were able to exercise freely and compete in the globe.

America's influences in family planning were long before Mexico City,

long before this debate tied up the Foreign Assistance Act, long before it tied up State Department authorizations and appropriations reduced abortion globally.

For the people who look at this issue and who care about abortion, take a look at some of the statistics. They will see across this country, across this planet, family planning has reduced abortions. In Kazakhstan, it has reduced abortions about 40 percent. All the debate on this floor about banning abortions and making them illegal has not reduced as many abortions as family planning has in Kazakhstan in the Soviet Union and across this planet.

So I would plead with my colleagues that we ought to reject this proposal from the Committee on Appropriations, we ought to reject it both in substance and in process.

Mr. Speaker, I reserve the balance of my time.

Mr. CALLAHAN. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I rise in very strong support of the Callahan motion. Just let me take a moment to digress.

Some of the leading appropriators in this House never lose the opportunity to admonish and even scold the rest of us and to tell us to look elsewhere when offering terms and conditions on policy. The appropriators just do the money, or so the thinking goes; the authorizers do policy.

All of that sounds neat and tidy, a true division of labor. But appropriations bills are stuffed to the hilt with policy. It may be useful to note that in years past, this "not on my appropriations bill" approach has been invoked in attempts to deter the offering of pro-life amendments or, once adopted, to try to strip out the pro-life language on appropriations bills, including the Hyde amendment on the health and human services bill.

The notion of "do it on the authorizing bill" has surface appeal. But had pro-lifers heeded that advice, the overwhelming majority of pro-life riders would never have become law, including the Hyde amendment, including the bans on taxpayer funding for abortion under the Federal Employees Health Benefits Program. I first offered that back in 1983, and everybody was telling me, "Do not do it on the appropriations bill," the D.C. appropriations bill, the Federal prisons ban, and other riders. If pro-lifers had bought into that line, the U.S. Government today would be paying for abortion on demand in most of the programs that we subsidize.

□ 1645

In the real world, appropriators are more equal, more essential, if you will, than the rest of us. In the end, their bills must pass, even if those bills are

rolled into an omnibus bill or a CR. Authorizers, especially on the Committee on International Relations, are doubly disadvantaged.

First, we bring relatively unpopular bills to the floor, and who here has constituents who are clamoring for more foreign aid? And, second, appropriators often render our work product moot or redundant or superfluous by simply waiving the need for an authorization bill.

The simple fact of the matter is that the White House, be it Democrat or Republican, knows this and needs only to wait until the eleventh hour for the appropriators to waive authorization. The real world consequence of this waiver-of-authorization drill is to closely undermine Members on the authorizing committees in negotiations with the administration on tough issues like population and abortion.

The administration calculates, and I believe wrongly this time, that they can get a better deal by pushing the process to the zero hour, which is why we offered the pro-life Mexico City policy to both the foreign operations bill and the State Department authorization bill, which I would remind my colleagues is the bill that I wrote.

As the chairman of the Subcommittee on International Operations and Human Rights, the State bill, not the reorganization, which was the part of the gentleman from New York [Mr. GILMAN], and not some of the other policy considerations, but the State Department bill is my bill, and I chair the subcommittee that oversees it.

We put it on that bill and we also put it on the foreign operations bill. The gentleman from Oklahoma [Mr. LARGENT] and the gentleman from Illinois [Mr. HYDE], as everyone knows, moved yesterday to instruct the conferees to retain the Mexico City and will hopefully do the same today on the authorizing bill.

This year, the majority of us in the House who recognize the fact that abortion is violence against babies will not give in, nor will we accept bogus compromises like metering, or counterfeits like the Gilman-Pelosi amendment. This year we will simply not allow the approximately \$400 million U.S. taxpayer dollars to enrich those who dismember and chemically poison unborn children.

Abortion is violence against children. Abortion is child abuse, and this year we are prepared to zero out U.N. arrears payments, cut foreign aid and take any action necessary to ensure that the Hyde amendment for foreign aid, which is the Mexico City policy, is enacted.

Yesterday's vote to instruct conferees to insist on the Mexico City policy was no frivolous vote. We simply will not cave, not now, not next week, not the week after, or ever, because millions of children and the well-being of their mothers are at stake.

I can assure the gentleman from Alabama [Mr. CALLAHAN] that as chairman of the Subcommittee on International Operations and Human Rights, I will fight any effort to bring the State bill back to the floor without the Mexico City policy. If through some means, and I do not think one exists, my bill lands on the floor without the Mexico City policy, I give my colleagues my vow, I will lead the fight against my own bill on the floor of this House.

I can only ask the same of the gentleman from Alabama [Mr. CALLAHAN] on foreign operations. I urge support on the Callahan motion.

Mr. CALLAHAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of our full committee.

Mr. LIVINGSTON. Mr. Speaker, I rise in support of the motion by the gentleman from Alabama to instruct the conferees on this bill. Yesterday, I reluctantly rose to indicate to the membership that I was going to vote "present," and I would like to explain that vote. The fact: I have always supported the Mexico City policy. I believe very strongly that wherever possible, the United States needs to discourage abortion. I am concerned that members of our society are actually encouraging abortion around the world.

The fact is, I happen to have the role, the dual-hatted role of running the Committee on Appropriations. Thirteen bills of the Committee on Appropriations have to get out every year in an appointed time and hopefully without shutting down the government, and the Subcommittee on Foreign Operations, Export Financing and Related Programs is just one of those subcommittees which must report every single year.

Now, Mr. Speaker, it has been a reluctant or an unfortunate reality that the Mexico City language has been the source of debate year after year after year since we took office as the majority party in 1994. In three other separate cycles, it was the last issue resolved, not just in the foreign operations subcommittee interchange with the Senate in conference, but in fact, the last issue resolved in each separate session of Congress.

Mexico City, and whether or not we should induce family planning operations around the world to refrain from advocating abortion, is an authorization issue. It belongs in the authorization bill, and that is why I am very pleased to stand before my colleagues in this body to implore my colleagues, vote for the gentleman's motion, vote for the motion to instruct the conferees of the authorization committee to do the job that must be done in order to convince the Senate to accept this language, to change this language, and to do whatever is necessary to change policy so that abortion will be

discouraged with family planning operations all around the world. If one gets settled in the authorization committee, one does not have to come to the Committee on Appropriations, and we can go ahead and finish our appropriations bills on time and get out without closing down the government.

Mr. Speaker, I urge the adoption of this proposal.

Mr. CALLAHAN. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. LARGENT].

Mr. LARGENT. Mr. Speaker, I will not use all of my allotted 2 minutes. We had this debate yesterday.

The only two things that I would like to say in reflection over the last 24 hours is this: People need to understand that the argument that people have raised about family planning money would be jeopardized with the addition of the Mexico City policy, need to understand that the Mexico City policy language that says that no taxpayer funds will go to organizations that fund abortions with any of their money, that that language was, in fact, the law of the land until 1993, when President Clinton rejected the Mexico City policy with an administrative order. So, family planning money was not jeopardized under the Mexico City policy for 12 years prior to 1993, so the argument is a fallacious argument.

The second thing that I would like to say is that the reason that the motion to instruct conferees was added to the appropriations bill is that I was fully confident that under the leadership of the gentleman from New Jersey, Mr. CHRIS SMITH, in conference, that it would only be over his dead body that that Mexico City policy language would be stripped from the authorizing bill before it came out.

So the appropriate vehicle was on the Committee on Appropriations, and I am in favor and voting in favor and urge all of my colleagues to support this motion to instruct as well, because as many times as we can reinforce doing the right thing, we should be for that.

So with that, Mr. Speaker, I urge my colleagues to continue to support this motion to instruct conferees and support the Mexico City language.

Mr. GEJDENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN of Virginia. Mr. Speaker, I thank my friend, the gentleman from Connecticut [Mr. GEJDENSON], for yielding me this time and for his leadership on this issue, as well as a number of other colleagues who are trying to make the point that we are really at a point of absurdity on this issue.

Mr. Speaker, this is the second time now in 2 days to instruct conferees on the reinstatement of the Mexico City policy provisions. Yesterday we talked about the appropriations bill. Today we are talking about the authorization.

The fact is, it does not really matter what we are talking about here, it should be debated in conference. We have already debated it ad nauseam on the House floor, and to begin to offer a motion to instruct on every controversial issue that comes before this body and is not reconciled before conference is a waste of time and it is an assault on the legislative process. We cannot get our work done if we keep acting in this manner.

I urge my colleagues to allow the conferees on the foreign appropriations bill and the foreign relations authorization act to do their job in debating this issue, without these unnecessary and intrusive motions to instruct. Leave it to them. They know the issue. They are doing the best they can. They will come up with the best resolution. This is not a good use of our time. We need to defeat this instruction.

Mr. CALLAHAN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PAPPAS].

Mr. PAPPAS. Mr. Speaker, I thank the chairman for yielding me this time.

This is not absurd. We are talking about saving the lives of unborn human beings here. And for those that are critical of us that are supporting this measure to instruct the conferees on the authorizing side, I would just like to point out a couple of weeks ago that those that felt frustrated and unable to offer their own amendment, and I speak of the Gilman-Pelosi amendment, they held this House hostage for several days in offering motions to adjourn or motions to this or motions to that.

I do not see this as absurd. We are talking about human beings. That is why the people of this country, by and large, have elected people that support protecting the vulnerable children, whether they are in the United States or any other place in the world, and I stand proudly supporting the chairman's motion to instruct.

Mr. CALLAHAN. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Speaker, I thank the gentleman for yielding me this time. I may not use the 3 minutes, but that is not a promise, I say to my colleagues.

I think the issue is clear, the same issue as the one we debated yesterday, although I think a much more appropriate vehicle here, and I am very glad the gentleman is offering this motion to instruct.

The issue is this. We do not use taxpayer dollars to fund abortions here in the United States. We should be clear and certain that we do not do so abroad as well, and that is what we are talking about here, making crystal-clear what I think is, people claim is implicit in the setup: making it crystal-clear that American taxpayer dollars are not

going to be used directly or indirectly to subsidize abortion or subsidize organizations that provide abortions, and if everybody agrees that we ought to do that, I cannot see the objection to making it clear with this particular language.

I am glad the gentleman offered the motion to instruct. I think it shows respect for the millions of people in this country who believe deeply as a matter of conscience, as I do, that this practice is wrong, and hope some day that we can eliminate it not just here, but around the world as well.

I want to say a word, also, about the particular vehicle for resolving this kind of issue. I know that there are many people in the House and many in the Senate who believe just as deeply and just as passionately on the other side, and they do not want to see this language go on. I am deeply concerned that if we fight this issue out on the appropriations bill, it may end up jeopardizing some other very important appropriations that do not have anything to do with this issue, and I do not see why we should do it.

The issue should be fought out on the authorization bill. We should take the whole issue, the whole issue of the population control money, the whole issue of this proposed language, take it out of the appropriations bill, resolve it in the authorization process where it belongs.

I know that my long-suffering friend, the gentleman from Alabama, who offers this motion to instruct, would much prefer not to have to deal with this in his appropriations bill, and he is right. Let us support this motion to instruct and let us all support taking this issue, the money, the policy, all of it off, effectively getting it off the appropriations process, onto the authorization bill, and then I hope come to a compromise. If not, fight it out in good faith and as between honorable people there.

I thank the gentleman for offering his motion. I intend to support it.

□ 1700

Mr. GEJDENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would close for our side by simply saying that I understand the frustration of the gentleman from Alabama [Mr. CALLAHAN], but there is a substantive issue here and a process one.

In substance, if the individuals who seek to impose this straitjacket on the authorizing committee win, it is less likely that we can move forward. The administration has taken a very clear position. This is a very tough issue. Passing this instruction will not be helpful to achieve the goal that most people here have expressed.

I think also from a policy perspective it is important to recognize that if the

proponents win with the Mexico City language, more abortions will occur. It is all a function of where we draw the circle. The Mexico City language now tries to take in entire organizations. I guess we could take continents or countries and draw the circle that broad.

But at the end of the day, if the proponents of the Mexico City language on family planning are successful, more abortions will occur across the globe. There is no debate on that.

I urge my colleagues to reject this motion.

Mr. CALLAHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just remind the Members of this body that I strongly support the Mexico City policy, and I am going to support it because it is the will of the House and the conference, to the best of my ability.

But the proper avenue for addressing this is through this vehicle, through the authorizing committee. Because if we do not do it permanently in the authorizing committee, we are going to be faced with this battle year after year after year. The proper place to debate this is in that committee. Most of the proponents, such as the gentleman from New Jersey [Mr. SMITH], are on that conference committee.

Unfortunately, Mr. HELMS in the Senate has given strong indication that he is willing to drop the language in the Senate. I do not know if the gentleman from New Jersey [Mr. SMITH] can hold the votes. If indeed he can hold the votes, then we will not have to debate this issue on an appropriation bill in the near future. That is exactly what this resolution is intended to do.

That is exactly what we are encouraging the authorizing committee to do. It is exactly what the gentleman from New Jersey [Mr. SMITH] wants to do. We are going to probably receive a larger vote to have this done in a responsible manner than they did through the appropriations process yesterday.

I beg the Members to vote for this measure. Let us send it to the committee of jurisdiction and responsibility, and I am sorry to tie the House up this late in the evening.

Ms. PELOSI. Mr. Speaker, I rise with great respect and the highest esteem for the maker of this motion, Chairman CALLAHAN. However, while I agree with him on process, I cannot agree on the substance of this motion.

We debated a motion to instruct on this identical issue on an appropriations bill just yesterday. We have had at least seven votes on this issue on three or four separate bills this year. Although I oppose the gentleman's motion, I respect his desire to keep this issue in the appropriations bill. This authorization bill, not an appropriations bill, is the proper and appropriate place to discuss this difficult and contentious issue.

I oppose this motion because I oppose the Mexico City policy. Mexico City restrictions will

cripple international family planning organizations in providing family planning and reproductive health services that have been proven to reduce the number of abortions performed worldwide.

This is not a pro-life issue. This is not a pro-choice issue. This is a women's reproductive health issue. During yesterday's debate, one of my colleagues who supported the Mexico City gag rule also stated that he supports responsible organizations that do engage in family planning. Yet he was one of 147 Members of this body who are on record voting to completely eliminate international family planning funding.

I agree with my colleagues who said yesterday that threat of a Presidential veto on a bill filled with other important issues should not be the sole basis for voting down this issue.

However, if some of my colleagues believe so passionately in the Mexico City gag rule provisions, and I respect that they do, I challenge them to introduce separate, free-standing legislation to do what you will effectively do with this language—to eliminate all international family planning.

The Mexico City provisions will crush our successful international family planning efforts, which work to reduce the number of abortions performed worldwide—in Russia, in Chile, in Colombia, in Hungary, the list goes on and on.

My message today is very simple. Family planning reduces abortions. Family planning saves lives. Mexico City restrictions gag family planning efforts. I urge my colleagues to vote against this motion to instruct.

Mr. GEJDENSON. Mr. Speaker, I yield back the balance of my time.

Mr. CALLAHAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HEFLEY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Alabama [Mr. CALLAHAN].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. GEJDENSON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 236, noes 190, not voting 7, as follows:

[Roll No. 506]

AYES—236

Aderholt	Blunt	Cannon
Archer	Boehner	Chabot
Armey	Bonilla	Chambliss
Bachus	Bonior	Chenoweth
Baker	Bono	Christensen
Ballenger	Borski	Coble
Barcia	Brady	Collins
Barr	Bryant	Combest
Barrett (NE)	Bunning	Cook
Bartlett	Burr	Cooksey
Barton	Burton	Costello
Bateman	Buyer	Cox
Bereuter	Callahan	Cramer
Berry	Calvert	Crane
Billakis	Camp	Crapo
Bliley	Canady	Cubin

Cunningham	Kingston	Redmond
Danner	Kiecicka	Regula
Deal	Klink	Riggs
DeLay	Knollenberg	Riley
Diaz-Balart	Kucinich	Roemer
Dickey	LaFalce	Rogan
Doolittle	LaHood	Rogers
Doyle	Largent	Rohrabacher
Dreier	Latham	Ros-Lehtinen
Duncan	LaTourette	Royce
Dunn	Lewis (CA)	Ryun
Ehlers	Linder	Salmon
Emerson	Lipinski	Sanford
English	Livingston	Saxton
Ensign	LoBlundo	Scarborough
Everett	Lucas	Schaefer, Dan
Ewing	Manton	Schaffer, Bob
Flake	Manzullo	Sensenbrenner
Foley	Mascara	Sessions
Forbes	McCollum	Shadegg
Fowler	McCrery	Shaw
Fox	McDade	Shimkus
Gallely	McHugh	Shuster
Ganske	McInnis	Siskis
Gekas	McIntosh	Skeen
Gillmor	McIntyre	Skelton
Goode	McKeon	Smith (MI)
Goodlatte	Metcalfe	Smith (NJ)
Goodling	Mica	Smith (OR)
Goss	Miller (FL)	Smith (TX)
Graham	Moakley	Smith, Linda
Granger	Mollohan	Snowbarger
Gutknecht	Moran (KS)	Solomon
Hall (OH)	Murtha	Souder
Hall (TX)	Myrick	Spence
Hamilton	Neal	Stearns
Hansen	Nethercutt	Stenholm
Hastert	Neumann	Stump
Hastings (WA)	Ney	Stupak
Hayworth	Northup	Sununu
Hefley	Norwood	Talent
Herger	Nussle	Tauzin
Hill	Oberstar	Taylor (MS)
Hilleary	Obey	Taylor (NC)
Hoekstra	Ortiz	Thornberry
Holden	Oxley	Thune
Hostettler	Packard	Tiahrt
Hulshof	Pappas	Torres
Hunter	Parker	Traficant
Hutchinson	Paul	Walsh
Hyde	Paxon	Wamp
Inglis	Pease	Watkins
Istook	Peterson (MN)	Watts (OK)
Jenkins	Peterson (PA)	Weldon (FL)
John	Petri	Weldon (PA)
Johnson, Sam	Pickering	Weller
Jones	Pitts	Weygand
Kanjorski	Pombo	Whitfield
Kaptur	Portman	Wicker
Kasich	Poshard	Wolf
Kildee	Quinn	Young (AK)
Kim	Radanovich	Young (FL)
King (NY)	Rahall	

NOES—190

Abercrombie	Condit	Ford
Ackerman	Conyers	Frank (MA)
Allen	Coyne	Franks (NJ)
Andrews	Cummings	Frelinghuysen
Baesler	Davis (FL)	Frost
Baldacci	Davis (IL)	Furse
Barrett (WI)	Davis (VA)	Gejdenson
Bass	DeFazio	Gephardt
Becerra	DeGette	Gibbons
Bentsen	Delahunt	Gilchrest
Berman	DeLauro	Gilman
Bilbray	Dellums	Gordon
Bishop	Deutsch	Green
Blagojevich	Dicks	Greenwood
Blumenauer	Dingell	Gutierrez
Boehlert	Dixon	Harman
Boswell	Doggett	Hastings (FL)
Boucher	Dooley	Hefner
Boyd	Edwards	Hinchey
Brown (CA)	Ehrlich	Hinojosa
Brown (FL)	Engel	Hobson
Brown (OH)	Eshoo	Hoolley
Campbell	Etheridge	Horn
Capps	Evans	Houghton
Cardin	Farr	Hoyer
Carson	Fattah	Jackson (IL)
Castle	Fawell	Jackson-Lee
Clayton	Fazio	(TX)
Clement	Flner	Jefferson
Clyburn	Foglietta	Johnson (CT)

Johnson (WI)	Millender-	Scott
Johnson, E. B.	McDonald	Serrano
Kelly	Miller (CA)	Shays
Kennedy (MA)	Minge	Sherman
Kennedy (RI)	Mink	Skaggs
Kennelly	Moran (VA)	Slaughter
Kilpatrick	Morella	Smith, Adam
Kind (WI)	Nadler	Snyder
Klug	Olver	Spratt
Kolbe	Owens	Stabenow
Lampson	Pallone	Stark
Lantos	Pascarell	Stokes
Lazio	Pastor	Strickland
Leach	Payne	Tanner
Levin	Pelosi	Tauscher
Lewis (GA)	Pickett	Thomas
Lofgren	Pomeroy	Thompson
Lowey	Porter	Thurman
Luther	Price (NC)	Tierney
Maloney (CT)	Pryce (OH)	Towns
Maloney (NY)	Ramstad	Turner
Markey	Rangel	Upton
Martinez	Reyes	Velázquez
Matsui	Rivers	Vento
McCarthy (MO)	Rodriguez	Visclosky
McCarthy (NY)	Rothman	Waters
McDermott	Roukema	Watt (NC)
McGovern	Roybal-Allard	Waxman
McHale	Rush	Wexler
McKinney	Sabo	White
McNulty	Sanchez	Wise
Meehan	Sanders	Woolsey
Meek	Sandlin	Wynn
Menendez	Sawyer	Yates

NOT VOTING—7

Clay	Hilliard	Schumer
Coburn	Lewis (KY)	
Gonzalez	Schiff	

□ 1722

Mr. NADLER changed his vote from "aye" to "no."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR ADJOURNMENT OF THE HOUSE AND ADJOURNMENT OR RECESS OF THE SENATE TO A DATE CERTAIN.

Mr. ARMEY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 169) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 169

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on the legislative day of Thursday, October 9, 1997, it stand adjourned until 10:30 a.m. on Tuesday, October 21, 1997, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, October 9, 1997, Friday, October 10, 1997, or Saturday, October 11, 1997, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, October 20, 1997, or such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly

after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RANGEL. Mr. Speaker, on roll-call vote number 500, I was recorded as "yes"; however, my vote should have been recorded as a "no" vote.

PERSONAL EXPLANATION

Mrs. CLAYTON. Mr. Speaker, I was unavoidably detained during rollcall number 493, the Vento amendment. If I had been present, I would have voted in the affirmative.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

REAUTHORIZING THE ENDANGERED SPECIES ACT

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. DINGELL. Mr. Speaker, I want to commend my good friend and colleague from New Jersey, Mr. SAXTON for his leadership in the effort to renew the Endangered Species Act.

The authorization of this precious piece of legislation expired 5 years ago, leaving one of our most important conservation laws vulnerable to attacks and lacking proper congressional oversight. Several years of ideological fighting and Beltway politics have kept interest groups busy while precious species of animals and plants decline and disappear. In the meantime, public and private land conflicts continue to hamper recovery efforts.

The administration has implemented needed reforms. The other body is building a consensus with the administration for improving the act. Sponsors of that effort are aware that their bill is not perfect but it is a product of good consensus and such efforts is never perfect.

The gentleman from New Jersey [Mr. SAXTON] and I have been engaged for several months in discussions, hoping to lead to the enactment of an improved Endangered Species Act. The

chairman of the committee, the gentleman from Alaska [Mr. YOUNG], is participating, as are the gentleman from California [Mr. POMBO] and the gentleman from Louisiana [Mr. TAUZIN], as well as the gentleman from California [Mr. MILLER], the ranking member, who has introduced a bill containing many common sense reforms. It is our hope that these talks will lead to enactment by this body of a bill which protects endangered species of wildlife for the future.

**SAXTON, DINGELL URGE HOUSE TO
REAUTHORIZE ENDANGERED SPECIES ACT**

One week after a Senate Committee mark-up of changes to the federal Endangered Species Act, U.S. Rep. Jim Saxton (R-NJ) and U.S. Rep. John D. Dingell (D-MI) asked House colleagues for support to reauthorize the nation's most significant conservation law during the 105th Congress.

Saxton, who chairs the House Subcommittee on Fisheries, Conservation, Wildlife and Oceans, and Dingell, who authored the 1973 law, emphasized that reauthorization is five years overdue and further delay only places endangered species and other at-risk species in further danger of extinction.

Dingell and Saxton have participated for several months in bipartisan discussions to determine how the ESA should be improved. While not endorsing the Kempthorne-Chafee-Baucus-Reid compromise, both representatives expressed hope that adoption of a Senate bill would lead to accelerated efforts by the House to pass a bill the President can sign. A copy of their floor statements follows:

**STATEMENT OF THE HONORABLE JIM SAXTON,
OCTOBER 8, 1997**

Mr. Speaker, I come before this body to discuss the need to reauthorize the Endangered Species Act.

I believe the time is now to reauthorize the grand daddy of all environmental laws. It is vital that any piece of legislation that is developed is done so in a bipartisan way. I congratulate the Senate in their effort to craft such a bill. Now, it is our turn in the House to find common ground that Democrats and Republicans alike can agree upon.

This process must recognize that people who are impacted by the ESA have legitimate concerns regarding the way it works. On the other hand our lack of progress in reauthorizing the act has seen the further decline of many species and the biological extinction of others. Now is the time to act.

I want to recognize Chairman Young and the ranking member on the Resources Committee, Congressman George Miller, for their recent efforts to craft a bipartisan bill in the House. The process has been supported by the involvement of Mr. Dingell, Mr. Tauzin and Mr. Pombo. We must set politics aside and do what's right for the people of this country and for the species in which this legislation protects.

**STATEMENT OF THE HONORABLE JOHN D.
DINGELL OCTOBER 8, 1997**

Mr. Speaker, I want to commend my friend from New Jersey, Mr. Saxton, for talking about the need to renew the Endangered Species Act.

The authorization for the Endangered Species Act expired five years ago, leaving our most important conservation law vulnerable to piecemeal attacks and a lack of proper Congressional oversight. For several years, ideological fighting and beltway politics

have kept interest groups busy while animals and plants decline and disappear. In the meantime, private and public land conflicts continue to hamper recovery efforts.

The Clinton Administration has implemented some needed reforms. And the other body is building a consensus with the Administration for improving the Act. Sponsors of that effort readily admit their bill is not perfect, but the product of good consensus is rarely perfect.

The gentleman from New Jersey and I have been engaged for several months in discussions about improving the Endangered Species Act. Chairman Young is participating as are Mr. Tauzin and Mr. Pombo; and so is Ranking Member Miller, who introduced a bill containing many common-sense reforms. It is our hope that these talks might give this House a chance to pass a bill which makes a good law work better for species and landowners.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HEFLEY). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

MARRIAGE TAX ELIMINATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

Mr. GOSS. Mr. Speaker, I was unable to attend last night the special order by the gentleman from Illinois [Mr. WELLER] and the gentleman from Indiana [Mr. MCINTOSH], who brought attention to our body, and to the people who are interested in what goes on in this Chamber, about a very important piece of legislation. It is called the Marriage Tax Elimination Act.

□ 1730

This is something that will be of interest to all Americans. We have a situation in this country now where, believe it or not, among the many other facts that we see in our tax system and the way it is handled by the IRS, we see the extraordinary fact that there is a penalty, a tax penalty for marriage.

This is at a time when we realize the sanctity of marriage, how important it is to our family values, how important it is to the education of our youth, the well-being of our Nation in so many ways, and certainly just the quality of our life. We even talk here quite often about our family-friendly Congress and family values. So when we look at our Tax Code and we uncover the fact that there is a penalty for being married, we wonder why in the world that is.

The first thing you might want to say is, how much is this penalty? Is this really something that matters? The answer is yes.

I understand that the average penalty for marriage is \$1,400. That is a fair amount of money. It seems to me

that would matter to most Americans, to have to pay \$1,400 more just because you were married. Then on top of that, if you say how many people does this really affect, clearly not everybody.

The answer is, when we take a look at statistics, it is about 21 million American couples which obviously means 42 million Americans. That is a huge amount of people to be impacted by a tax which we cannot quite figure out why we have got it.

So we now have a piece of legislation that we think is important to move forward and I am pleased to say that as a cosponsor, original cosponsor, that the Marriage Tax Elimination Act is going to see the light of day and we are going to, I believe, take action in this body to correct something that certainly needs to be corrected.

It is probably interesting to note for most Americans that the average family today pays more in taxes than for food, clothing and shelter combined. Many Members say that. But think about that, think about your hard-earned dollars, if you go out and go about your job, the sacrifices you make to work hard, the time away you have from your family, other pursuits you are interested in. You are giving away today in taxes more than you are paying for your food, your clothing and your shelter, which are of course the first areas of responsibility for those in the home. That is an amazing statistic and yet we just seem to sort of take it for granted.

We know now that we have got to completely overhaul our Tax Code and we are planning to do that. We are about to start a great debate across the Nation. Our colleagues, the gentleman from Texas [Mr. ARMEY], the gentleman from Louisiana [Mr. TAUZIN], and perhaps others are going to go out and bring the tax debate to the people in a meaningful and understandable way in the next few weeks.

I am sure they will be saying the same responses as we hear in our offices and that we hear back in our districts when we go home, from people who say the present tax system is unfair, it is inequitable to Americans, it is not efficient, it is not a good way to collect revenues for the government, but most of all, it is absolutely incomprehensible. And we all know the story about putting all the experts in the room with the same set of facts and they will all come up with a different tax liability, a different tax conclusion after reading the reams and reams of documents that are supposed to guide us through how we pay our taxes and go about that responsibility.

So while we are talking about overhauling the Tax Code, while we are talking about reining in the abuses of the family-unfriendly and the consumer-unfriendly IRS, we are also talking about a very narrow specific slice of American life, and that is married

people. I think it is very important that we send that message out, that for those people who are interested in fair treatment under the Tax Code and for those people who are interested in getting married and wanting to stay married, it seems to me they need to know that we are aware that there is a penalty. We think the penalty is wrong and unfair and we are going to do our best to remove that penalty.

The cloud on the horizon for us, sadly enough, is that we did this a few years ago in our Contract With America. Unfortunately President Clinton vetoed that. I hope if we give him a clearer picture of what is going on and how much this matters to Americans, that this time when we pass the legislation we will have his support to repeal the marriage tax rather than his veto.

H.R. 7, THE CITIZENSHIP REFORM ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BILBRAY] is recognized for 5 minutes.

Mr. BILBRAY. Mr. Speaker, I rise today to address an item that is being considered by this body, at least for markup, very soon. That is the Citizenship Reform Act of 1997, H.R. 7. For many of us, we may think that under the 14th amendment, the privilege of automatic citizenship is something that is automatic and applies to everyone born on U.S. soil.

H.R. 7 clarifies the fact that under the 14th amendment not every one born on U.S. soil gets automatic citizenship; that there is a conditioning clause in the 14th amendment that says you must be "subject to the jurisdiction thereof".

To clarify this fact, consider that the children of diplomats here in Washington, DC, or back in New York do not get automatic citizenship at this time because their parents are not "subject to the jurisdiction"; the same way that native Americans did not get automatic citizenship until the 1920's because Congress granted it, because basically Indians who were in the tribal environment were not subject to the jurisdiction of the United States, because they owed loyalty and obedience to their tribe before the United States.

H.R. 7 clarifies the fact that illegal aliens do not fall into the category of "subject to the jurisdiction" of the United States, because they first of all are not obedient to the immigration laws, and are committing by their presence on U.S. soil a violation of national sovereignty; and, No. 2, they do not owe allegiance or loyalty to the United States. I think everybody would agree that if an illegal alien was tried for treason and brought before a court for treason, that the most liberal to the most conservative American would be outraged at the fact that somebody

who was illegally in the country was now being required to be loyal.

Mr. Speaker, the same argument goes to automatic citizenship. If the child is born of parents who do not owe loyalty to the United States, if that basic obligation is not being met by the parents, the child should not get the automatic citizenship.

This is a thing of fairness, too. Let me remind all of my colleagues, there are people waiting patiently to come into this country legally, and while they are waiting patiently they are, some of them, having children. Those children, whose parents are playing by the rules, do not get automatic citizenship, but right, today we are rewarding those parents who violate the law in coming to this country illegally.

Some people may say it is not that big a deal, why even talk about it? Mr. Speaker, I am here to tell you it is a big enough deal that 96,000 births in California alone were the children of illegal aliens. We are talking about 40 percent of the Medicaid births in the State of California are children of illegal aliens. We are talking about hundreds of millions of dollars a year that one State is spending with Federal funds.

It is an issue that needs to be addressed, and it is first and foremost an issue of fairness. Why should we require the children of people who are legally waiting to immigrate, to go through the naturalization process and ask for permission from the United States to become U.S. citizens? When at the same time, we will reward the parents who have broken the law and give their children automatic citizenship with no processing at all? It just is not rational. It is not fair.

Mr. Speaker, I think that we must also recognize that the Supreme Court has never ruled on the issue of automatic citizenship for the children of illegal aliens. In fact, in the one case that is pointed out so often, the Wong Kim Ark case back in the late 1880's, the court ruled specifically that his parents were legal residents and that legal residents owe allegiance and owe loyalty and must obey the law. And by their legally immigrating, they showed that they were obedient to the Federal Government and the Government of the United States, and that they were "subject to the jurisdiction" by getting permission to enter this country legally.

That definition does not fall on those who have broken our laws and immigrated illegally. In fact, the case that we are referred to again and again is a 1608 case in England, the Calvin case, that says that people who have obligational loyalties get citizenship; those who do not do not get automatic citizenship. In the words of the English, in their flowery way of saying it, they say it is the loyalty and the obedience, not the soil and not the climate that render citizenship.

I think in all fairness we have got to understand that those who are obedient and play by our laws should be rewarded. But, Mr. Speaker, those who have broken our laws, violated our national sovereignty and refused to recognize that they must be "subject to the jurisdiction" of the United States should not today have the right of automatic citizenship.

This Congress should finally tackle this issue, address this issue and send a very clear message, not just to our own citizens, that we believe in fair and equitable treatment but that we will no longer reward illegal immigration with automatic citizenship. I ask everyone to contact their Member of Congress to address this issue and support H.R. 7.

DOMESTIC VIOLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. STRICKLAND] is recognized for 5 minutes.

Mr. STRICKLAND. Mr. Speaker, I stand today to speak about a silent crime that victimizes 1.8 million individuals annually, most often in the place where they should be the most safe and secure, in their homes. This criminal act is multifaceted and non-discriminatory in choosing its victims. It knows no boundaries of age, race, social class, income level or education. Its predominant traits are those of emotional and physical abuse. I am speaking of domestic violence.

In recent years an increasing number of new stories involving public figures both as victims and as perpetrators of domestic violence have raised our awareness of this problem. Through media coverage we are slowly beginning to realize the massive extent of this crime which is most often committed in secret. Although these stories are difficult to comprehend and painful to hear, we all need to be aware that this tragedy is more prevalent than we think and more horrible than we can even imagine.

Sometimes the evidence of this abuse is obvious. At other times it goes undetected and leaves its victims suffering in silence. Unfortunately, this problem still seems to be very distant to most of us until someone we know becomes a victim.

A few years ago in Hillsboro, Ohio I met a young woman who was in the process of rebuilding her life after the end of a very violent marriage. She returned to school, received her high school diploma and found a combination of jobs to support herself and her young child.

I was impressed that this self-assured woman had shown such incredible strength by removing herself and her child from a dangerous, intolerable situation. But only a few weeks after I met her, I learned that she had been killed by her estranged husband as she

approached the Highland County Courthouse. She was on her way to seek legal protection from the man she had married, who on that awful night became her killer.

This incident impressed upon me the heartbreaking circumstances that many victims, usually women and children, are subjected to every day all over this country. Unfortunately, many victims feel that they do not have the resources and the support available to remove themselves from such threatening and dangerous situations, and all too often, even if they can escape the immediate circumstances, they remain potential victims.

Thankfully, domestic violence is being driven from the shadows and exposed for the heinous crime that it is. Many individuals and groups now focus their energies on seeking ways to prevent domestic violence and to reach out to the victims and their families.

In my district a community-wide domestic violence protocol is being developed. This will help outline how agencies can handle the incidents of domestic violence in a cooperative way. Our hope is that we can establish a stronger effort to break this cycle of violence. I am proud of the fact that in one of the counties in my district, Highland County, Ohio, men and women have joined together to help those in need.

□ 1745

They are committed to reassuring victims of domestic violence that they are not alone and that hope is available.

At the Federal level, the Department of Justice has developed programs that train law enforcement officers, emergency room attendants and family physicians on how to recognize a domestic violence situation and how to appropriately assist victims who have suffered from this crime. All of these local, State and Federal efforts are working to reach victims like the young mother who recently and unnecessarily lost her life.

Preventing domestic violence is a task to which all of us should be absolutely committed. I applaud all individuals and groups, especially my constituents in Hillsboro, Ohio, who are working to combat this despicable crime.

LEGISLATION REGARDING BREAST CANCER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. Fox] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today to speak on behalf of legislation that is in the House and the Senate which will do much to help the women of the United States affected by

the terrible physical tragedy of breast cancer.

I am speaking of legislation that will prevent the drive-through mastectomies, where women who are being treated for breast cancer have been called to leave the hospital before 24 hours, sometimes the same day as the surgery.

Our legislation was put forth through the leadership of the gentlewoman from New York [Mrs. KELLY], the gentleman from New Jersey [Mr. FRANK LOBIONDO], Senator FEINSTEIN of California and Senator D'AMATO of New York, and earlier today they held a press conference to announce the importance of this legislation which would require a minimum of 48 hours for a stay in the hospital following a mastectomy.

We also have in that legislation a requirement for a second opinion from a doctor with regard to the length of stay and the treatment. And, finally, the legislation calls for reconstructive surgery for each woman that may be affected by the dreaded disease of breast cancer.

Much has been done and much more needs to be done in the way of treatment, detection and prevention of breast cancer in this country. I am proud to work with the national breast cancer officials who are working on a cure and who are working to increase the funding, and I am working with them on the DOD funding, the Department of Defense funding, as well as the National Institutes of Health.

For me this is priority number one in this 105th Congress, to pass this legislation and all legislation which will lead to additional research funding so that in our lifetime we can have a cure, we can have a vaccine, we can have a discovery that will eradicate breast cancer in our lifetime.

Mr. Speaker, this is the number one cancer death causing disease to women in the United States: 44,000 a year. We must do whatever we can from a medical, legislative and public point of view to make sure we eradicate this disease in our lifetime. Tomorrow is not soon enough.

So I thank my colleagues for sponsoring and cosponsoring this legislation and for working for its passage.

LEGISLATION TO ALLEVIATE CONSEQUENCES OF WELFARE REFORM BILL ON ELDERLY NON-CITIZENS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii [Mrs. MINK] is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, today I am introducing a bill to alleviate the harsh consequences that many of our elderly noncitizens are experiencing as a part of the Welfare reform bill enacted last year.

At age 94, one of my constituents is now being threatened with the loss of food stamps

because she cannot prove she is a U.S. citizen. She entered the United States in 1919 from Japan. Her husband is now deceased. She has no support documentation that would show she is a citizen or that she worked 10 years in this country. Soon she will lose her \$40 per month allotment.

The stated purpose of the welfare reform bill was to promote self-sufficiency and to eliminate the reliance of government assistance for able bodied individuals. The goal being to return these able bodied individuals back to work.

As a result of the Welfare Reform bill we witnessed a direct attack on our noncitizen elderly population. These individuals clearly should not have been included in the group targeted to return to work. Recognizing this, Congress and the President partially restored some of the benefits unfairly denied this population. However, even with the partial restoration of benefits, many of our elderly noncitizen population are still suffering.

This bill will remedy the unfair result imposed by Congress last year by restoring to a small group of our most vulnerable individuals their food stamps. These individuals are our most needy. We have a duty to assist them in their aging years. This bill eliminates these individuals from a law that clearly should not apply to them.

CONGRESS SHOULD DO MORE PROBLEM SOLVING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. PAUL] is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, frequently I am asked, when I am in my district, if Congress is making any progress in solving the problems that this country faces. I wish I could be more optimistic in my answer, yet I am optimistic about the people in the district and the people in the country, because I think they are beginning to see the problems correctly and they are beginning to sense that we should be doing more to solve the problems.

Truthfully, I cannot give them an optimistic answer about the progress we are making here within the House of Representatives and in the Senate. For instance, yesterday we had a piece of legislation come up rather quickly. It was the FDA legislation. There was no announcement the day before. There was no announcement last week. It came up suddenly, under suspension, with only minutes to prepare.

Actually, I came to the floor hoping that I could at least make a statement, asking for 1 minute, but because it was managed by both majority and minority that supported the bill, there just happened not to be any time available to discuss anything in the FDA legislation.

This legislation involved 177 pages. It was not available to me on the Internet. It is a complex piece of legislation, and something that I think is a very

important piece of legislation. I had received numerous pieces of correspondence critical of this legislation and urging caution on its passage. The bill was rushed through rather quickly. There was no vote taken on this and, actually, not one single thing said in a negative manner about this particular legislation.

The pretense of the legislation is to speed up the process, to get drugs approved more quickly, to avoid the bureaucracy of the Food and Drug Administration and, quite frankly, there probably is plenty of bureaucracy over there that slows up the process. But if they are not doing a good job, why would speeding up the process necessarily be helpful?

If they speeded up the process to get drugs out, like Dexfenfluramine, which is a drug now known to cause heart valve disease, I cannot see the purpose of trying to speed up a process that guarantees very little to the consumer. Quite frankly, the Good Housekeeping seal of approval that the FDA puts on it I question. I favor the original Good Housekeeping seal of approval, something done more privately.

But the serious parts of this legislation, which I believe will come back to haunt many in this Congress, and I am predicting they will hear from the constituents and from many groups interested in this issue, in the first way the bill itself internationalized regulations for the first time. The regulations are to conform with all other nations when possible. I do not see this as a positive step in any way.

Unfortunately, it diminishes the State's role in regulation and in food labeling and it allows more Federal regulation rather than less. This, to me, is not going in the right direction. We talk a lot about reducing the Federal control, but here is a piece of legislation that comes up rather quickly, no debate, no chance to really debate the issue at all and, at the same time, it enhances and empowers the Federal Government over the States and, at the same time, it introduces this notion that some of these regulations may well become internationalized.

In another area that I think we have done a poor job has to do with the budget. If the American people would go by what is said from here, so much optimism, that we are on the verge of having surpluses and we are running around arguing about how to spend the surpluses, I have to take a different side to that argument. I do not see the surpluses.

For instance, this past year they say the national debt is down to \$30 billion, approximately. Well, \$30 billion to a lot of people is still a significant amount of money. So a \$30 billion deficit should not be ignored and, quite frankly, I think it is lower than was anticipated more by accident than by what we have done, especially if we look at the budg-

et resolution, which actually introduced more welfare programs, not less. So the fact that we have a smaller deficit is not too reassuring to me.

If we look at the increase in the national debt, it suggests another story. The national debt has actually gone up nearly \$200 billion in this past year. The national debt went from \$5.22 trillion to \$5.41 trillion. So why the discrepancy? Why is the deficit so small and yet the national debt is increasing rapidly? There is a very specific reason for this. More money is being borrowed from the trust funds, such as Social Security. That is not the solution. That is a problem.

ORDER OF BUSINESS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take my time out of turn.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. SNYDER] is recognized for 5 minutes.

Mr. SNYDER. Mr. Speaker, yesterday the Senate had a series of votes which temporarily killed campaign finance reform. I know the general public is confused over what happened over there, but the bottom line is the majority of the Members of the U.S. Senate support campaign finance reform, the American people support campaign finance reform, but the Senate Republican leadership will not let there be a clean vote on campaign finance reform.

And I say to my friends on the Republican side of the aisle, I know there is Republican support. I know there are many Republicans that support campaign finance reform.

Here on the House side we have had no hearings, we have had no votes on campaign finance reform, we have had no bills brought to the floor. In almost a year we have been in session, we have had no debate on the floor on campaign finance reform. And, again, the problem is the Republican leadership of this House.

I say once again, I know there are many Republican Members who will vote for campaign finance reform if it is brought to the floor of the House. The problem is the Republican leadership.

What is the problem? What is the problem with our campaign finance laws? This morning I held up this phony check I had made out here for a billion dollars, and the reality is it is now currently legal to make unlimited donations to the political party of our choice, Democrat, Republican, Reform Party, or any other party. Whether we

are an individual, whether we are a corporation, whether we are a union, we can write out a check for any amount of money we choose to, as long as the account is good, and it is legal under campaign finance reform.

That is wrong. It contributes to the cynicism of this country, and it is a problem that needs to be fixed.

To discuss possible fixes to this very real problem facing America, I would like to yield to the gentleman from California [Mr. FARR], a leader in campaign finance reform.

Mr. FARR of California. Mr. Speaker, I want to engage with the gentleman in this discussion because, obviously, the gentleman saw yesterday that the Republican leadership in the Senate broke things, and the U.S. public is asking for a campaign reform fix. We have legislation here before us. In fact, the legislation before this House does not require that the Senate has to fix their side, we can fix just this side.

I have H.R. 600, which has more co-sponsors than any other bill in Congress. It is the bill that historically has passed this House under Democratic leadership. It is the bill that received the most votes when this issue came up before the 104th Congress. It is a bill that totally reforms campaign expenditures, campaign collections, the whole gamut from A to Z, and it is a substantive bill.

The issue here is that we are the legislative branch of government. We are here to fix things that are broken. This is not just about hearing and smearing, it is about acting and doing. We need to have on this floor a vote on campaign finance reform.

The gentleman and I cannot do much about it because we are in the minority party, but the majority party has indicated that they are some day going to do it. They have the ability to do it now, and we hope they will give us the date and the time soon and that there will be particular bills like this, H.R. 600, that are comprehensive, that allow us to have a vote on it, because I believe that this House, in a bipartisan way, can send a bill to the President that will reform campaign finance methods of collecting, spending and conducting campaigns in the United States of America for people who run for the House of Representatives.

I appreciate the gentleman's leadership. The gentleman has certainly brought about the evidence that there is too much money in politics and that we can fix it together.

Mr. SNYDER. I appreciate the gentleman's comments. There are several good ideas out there, and they are incorporated. I think we now have 85 bills filed. If no bill gets to the floor of this House, none of those bills are going to be discussed, and it is very discouraging, given the uproar in the last election cycle from the American people about the volume of money

spent, that we see that we are not doing anything about it this year.

Mr. FARR of California. So the question is when.

Mr. SNYDER. The question is when.

Mr. FARR of California. The question is how.

Mr. SNYDER. The gentleman knows how. We have other Members that know how. The issue is having the debate to make the final decision about the how.

Mr. FARR of California. Well, we have colleagues here, and we hope that they will join us, listening to us, and demand that a vote be brought on campaign finance reform so that together, in a bipartisan fashion, we can fix it in a comprehensive form. Not just plug up one little leak or two little leaks, but do the whole thing so that we limit how much money people spend on campaigns.

That is the issue. We have to take the big mass, obscene expenditures out of campaigns, and we have a way of doing it. It has gotten to the President before. President Bush vetoed it, unfortunately, the Senate Republicans filibustered in the past, but now we have the ability because we do not need to have it go to the Senate and we can get the President to sign it.

So all we need to do is get 218 votes here and the job is done and, hopefully, it will be done soon.

Mr. SNYDER. In closing, I will just say it comes down to the question of the Republican leadership, the leadership in this House saying to the Members, yes, it is okay to bring that bill on the floor of the House.

□ 1800

PROPOSAL BY FDA AND EPA TO BAN MEASURED-DOSE INHALANTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I want to bring to the attention of the Members and Members outside of this Chamber a proposal by the FDA and EPA to ban measured-dose inhalants which contain CFC's, or chlorofluorocarbons, that are used by people suffering from asthma.

Now, clearly, the goal of the FDA and EPA is laudable. They want to remove CFC's from all products in order to protect the ozone. But let us start with the basic premise that, first and foremost, the measured-dose inhalants contribute insignificantly to the problem.

But let us also stress, the need for these is so great, 30 million Americans suffer from asthma. CFC's are able to propel the medication necessary to help a struggling asthmatic sustain life, receive that important breath, and go on living a reasonably healthy life.

In 1999, through the Montreal protocol, the EPA and FDA wanted to

start removing from the list products that are currently available to substitute one item that currently is on the market. Clearly, we expect further research to indicate that there will be options and alternatives.

What we are asking in a bill that I have filed is that the EPA and FDA report back to the Congress with a wide range of options available for asthmatics so that they can find products suitable to solve their medical emergency when necessary. Currently there are over 70 types of inhalants available on the marketplace.

My colleague, the gentleman from Rhode Island [Mr. KENNEDY], testified that he uses three different types of inhalants during the day that help provide life-sustaining breath to his lungs. I was an asthmatic as a child and suffered greatly when I tried to strive for breath.

These products are not contributing to the problems in the ozone. I talked to Dr. C. Everett Koop on Friday, and he clearly indicates that this is the wrong approach by the FDA and EPA, that this is not the problem.

Now, I applaud them for banning refrigerators with CFC's, air conditioning compressors with CFC's, hair spray and underarm deodorants that were polluting the air because of the excess of chlorofluorocarbons. But an asthma inhaler pumps the measured dose into the system and does not leach it out into the air. It is not something you waste. It is not something you spray. It is something you ingest, inhale into the lungs, to gain greater capacity.

So I urge my colleagues to support me in this initiative and urge the Speaker to consider this initiative to allow us to have those agencies report back when there are adequate amounts of materials available that can clearly be CFC-free but also provide the needed relief for patients around our country, clearly a policy decision being made that has the right intentions but has devastating consequences to those that suffer from asthma.

Thirty million Americans suffer from asthma. Thirty million Americans will not find comfort in knowing that they are only allowed to use one inhalant. Right now, the one on the market, to some people, does not contain enough propellant to bring the medication into the lungs.

CONGRESS SHOULD NOT SPEND BUDGET SURPLUS

Mr. FOLEY. Mr. Speaker, the other thing I want to discuss quickly is Alan Greenspan's testimony today that Congress should not spend budget surplus. And I agree.

To get our fiscal house in order, we have got a \$5.3 trillion debt, we should be reducing the deficit, reducing the outlay that we are spending on interest on the debt alone, finding ways to reduce that so we will then free up capital that is now being spent on interest

to help the needed projects in America, the road construction and other things.

My colleague, the gentleman from Wisconsin [Mr. NEUMANN], and several of my colleagues have cosponsored his measure that would allocate additional increases or surpluses, 1 percent of those surpluses to Social Security Trust Fund restoration, Highway Trust Fund restoration, and, more importantly, reduction of the debt. That would bring us into a balance, if you will, allowing us to use legitimate business principles.

When we have debt, we reduce debt, it frees up capital to spend on other programs. It is very simple, very common sense. And it probably will fail in this city, because people like to spend more than they have, because they are used to it.

We clearly feel that Mr. Greenspan's testimony today indicates that we have significant benefits from running some surpluses. There is nothing wrong with running a surplus. We tell all Americans to save for a rainy day. We tell all Americans they should have a surplus in their checking account. We tell businesses that if they are profitable and have excess revenues, that they are a great thing, an American institution. Only in this building do we consider spending more than we take in. Excellent advice that we should spread around the world.

Five point three trillion dollars in debt, incurring about \$265 billion in spending on interest alone on the debt, and not reducing it by a nickel. So if we are to get our fiscal house in order, we need to start now.

I yield back the balance of my time.

TRIBUTE TO DR. EDNA P. DAVIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me tell my colleagues a story and why I love and respect what public school education can do for all of us.

Today I stand in tribute to Dr. Edna P. Davis. Some would wonder, is she a famous actress or has she dunked a shot on the basketball court? No; Dr. Edna P. Davis is a public school teacher who has taught for 47 years. She lives in Houston, TX. I had the pleasure of joining her colleagues and her church members at Williams Temple just a few short weeks ago in honoring this soldier on the battlefield of education.

Dr. Edna P. Davis is an educator, a humanitarian, and a scholar. I am moved by her words regarding all children when she says, "Every boy and girl, irrespective of race, ethnic group, or color, or below par in physical condition, should be taught to achieve and aspire to high ambitions of their capacity."

She loved education and religion so much that I would like to note, for the RECORD, she wrote "The Education and Religious Life of Dr. Edna P. Davis." No, this is not a self-study to promote herself but her virtues and values and pearls of wisdom, for Dr. Davis is a lover of the written word and the spoken word.

And as we listen to the testimony of her students and her friends and colleagues, they said that she was able to instill in her children and her pupils the love of the English word, the love of the ability to communicate. Her commitment to God's work and others is most appreciated by those who know her best. She is a model of good Christian conduct and academic excellence.

Dr. Davis believes that teachers should be dedicated, teachers should love children. She taught in a public school system. And Dr. Davis' contribution to education, she has taught from kindergarten through the 12th grade.

I am privileged to know one of her students, Dr. Elwin Lee, my husband, who was able to be under her tutelage at Blackshear Elementary School. The children she has taught have scored high on their tests. She never took "no" for an answer. There was no child who could not succeed or take these standardized tests. She has always been punctual, and we could count readily on her attendance record as almost perfect.

The in-depth analysis of Dr. Davis' education and her numerous accomplishments as an educator, her work in the church, and her volunteer work in education with children and extending charitable contribution to Riverside Hospital have made her a legendary figure in our community.

My colleagues would have been amazed at the numbers of individuals who came from far and wide to pay tribute, the representatives from the Houston Independent School District, classroom colleagues, school chums, next-door neighbors, and, most of all, her students, those who work at NASA, those who are law enforcement officers, those who are doctors, those who are individuals who benefited from her teachings.

At an early age, Dr. Davis was trained in the Christian concept of the golden rule. How many of us would benefit from understanding that we really should do unto others as we would want them to do unto us? And her training came from her parents, Mr. and Mrs. Thomas Jefferson Davis.

Growing up in Third Ward in Houston, TX, she noticed early the challenge for a black teenage girl from Douglas Elementary School. She went to Jack Yates High School, which was then on Elgin Street. She studied hard. And at graduation time, she was designated class valedictorian. She was noted as a quiet young woman but a

studious young woman, again, someone who loved to understand and learn.

Upon leaving Jack Yates High School, she enrolled at Texas Southern University. At Texas Southern, she pursued her mission as a teacher in the School of Education. She graduated from TSU in 1953, receiving the B.A. and B.S. degree with the highest honors. Summa Cum Laude was bestowed on her for her diligent study.

Seeking intensively to learn as much as she could, Dr. Davis in 1960 received an M.A. in English and history with the same distinction.

Her further study leading to doctorate was centered at Texas Southern University, University of Houston, and New York University. Determined to get her doctorate, she enrolled at Albany State College, away from Texas. From 1974-77, she received the E.D.D., the highest degree in the field of education.

Her teaching career began in 1953, when she taught at Booker T. Washington Junior High School under Principal Bryant and Principal J.R. Cunningham at Blackshear Elementary in 1954. For the past 25 years, she has taught at Blackshear Elementary School under Principal George Mundine.

Let me say, Mr. Speaker, that I am delighted to be able to rise today and pay tribute to truly a great American and American teacher, someone who loves children, loves the ability to teach children, and believes that all of our children, no matter who, can learn, truly learn. She is a wonderful American and a wonderful teacher.

Mr. Speaker, I rise to offer words of gratitude and recognition for the wonderful work done by Dr. Edna P. Davis, educator, humanitarian and scholar.

I am moved by her words regarding all children when she said:

* * * every boy and girl, irrespective of race, ethnic group or color or of a below par in physical conditions, should be taught to achieve and aspire to high ambitions of their capacity.

Her commitment to God's work and others is most appreciated by those who know her best. She is a model of good Christian conduct and academic excellence.

Dr. Davis believes that teachers should be dedicated. Teachers should love children. In Dr. Davis' contribution to education, she has taught from kindergarten through the twelfth grade. The children she has taught have scored high on their tests. She has always been punctual and we can count readily her attendance record as almost perfect.

The in-depth analysis of Dr. Davis' education and her numerous accomplishments as an educator, her work in the church and her volunteer work in education with children and extending charitable contributions to Riverside Hospital has made her a legendary character.

In an early age, Dr. Davis was trained in the Christian concepts of the "Golden Rule." Such training came from her parents, Mr. and Mrs. Thomas Jefferson Davis.

Growing up in the Third Ward, she noticed early the challenge for a black teenage girl from Douglas Elementary School; she went to Jack Yates High School, which was then on Elgin Street. She studied so hard and at graduation time she was designated class valedictorian.

Upon leaving Jack Yates High School, she enrolled at Texas Southern University. At TSU she pursued her mission as a teacher in the School of Education. She graduated from TSU in 1953 receiving the B.A. and B.S. degrees with the highest honors. Summa Cum Laude was bestowed on her for such diligent study. Seeking to learn as much as she could, Dr. Davis in 1960, received a M.A. in English and History with the same distinction.

Her further study leading to doctorate was centered at Texas Southern University, University of Houston, and New York University. Determined to get her doctorate, she enrolled at Albany State College, from 1974-77, and she received the E.D.D., the highest degree in the field of education.

Her teaching career began in 1953, when she taught at Booker T. Washington, Junior High School under principal Bryant and principal J.R. Cunningham at Blackshear Elementary in 1954. For the past 25 years, she taught at Blackshear Elementary School under principal George Mundine.

I am pleased to join Dr. Edna Davis' family, friends, and colleagues in congratulating her on her life's accomplishments in education. Dr. Davis your monumental effort has given the gift of knowledge to your students who have become valued members of our society. Your commitment to excellence in education provided many of our children with the good news that studious pursuits, hard work, determination and perseverance will lead to success in life. I would like to offer my heartfelt thanks for your commitment, without which, your students would not have the promise of an unlimited future. Your gift of knowledge to the Houston community will not be forgotten.

Mr. Speaker, I ask that all of my colleagues join me in recognition of a wonderful teacher, Dr. Edna P. Davis.

GROUNDHOG DAY IN WASHINGTON, DC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. PAXON] is recognized for 5 minutes.

Mr. PAXON. Mr. Speaker, I do not know how many of my colleagues have had the chance to enjoy a great movie; it is called "Groundhog Day." And in there, Bill Murray had the recurring problem of waking up and it was Groundhog Day again and again and again, and he had to live the same experiences over and over and over again.

Well, we have our own version of Groundhog Day right here in Washington, D.C., because it was just 4 years ago, it seems like yesterday, that the Clinton administration proposed a Btu tax, and it was met with absolute outrage from across this country. Republicans and Democrats, people from all corners of America, rose up in indignation over a Congress, then controlled

by the Democrats, that would move forward with such an onerous and burdensome tax that hits the elderly, the poor, the working middle class so unfairly, so regressively.

Well, it is Groundhog Day all over again. And we wake up to find what? That the Clinton administration has not learned the lessons; they want to relive that day over again of proposing another Btu tax on the American people.

Saturday, the Washington Times reported that the administration has an interagency analysis team that is looking at tax alternatives to fund the costs associated with the so-called global warming treaty that they are considering signing in Japan later this year. Of course, they want to keep this quiet. They did not want to let this get out. But out it has come.

That information from the Washington Times, combined with information uncovered by the Committee on Commerce, on which I serve, indicates that the severity of the tax that they are talking about makes what happened in 1993 look like child's play.

Let me just tell my colleagues about it. What they are talking about is, decreasing so-called greenhouse gases by just 20 percent by the year 2010 could require an increase in the Btu tax five times greater than that proposed by the Clinton administration in 1993.

What would that mean? A tax of just \$200 per ton on carbon could result in a 60 cent per gallon gasoline tax increase. I did not say the total tax would be 60 cents a gallon. The increase would be 60 cents a gallon. Thank you, Mr. President.

They are also talking about, on top of that, a 50-percent increase in the cost of home heating fuel. For those of us who need to heat our homes in the winter, that is devastating. It harms older Americans disproportionately, the working poor, middle-class taxpayers. It will hit nursing homes, veterans' hospitals, right between the eyes.

It will result in economic disaster, a 4.2 percent reduction, or \$350 billion reduction in our Nation's Gross Domestic Product in year one of this Btu tax, a loss of over a million jobs in the first year and 600,000 jobs lost every year after the first year right through the year 2020.

I just do not believe we can afford Groundhog Day, to live this nightmare all over again that we experienced in 1993. That is why I am filing a sense of Congress resolution putting us on record in opposition, making clear to the administration that we have no intention in this Congress, this Republican Congress, of passing any Btu taxes and putting that burden on the backs of the American people.

I am very pleased that the National Taxpayers Union, the foremost organization fighting higher taxes, has come

out in favor of this sense of Congress resolution and is going to join with us in this effort. But there is going to be a fight. I know there are a lot of people in this body who think this is a no-brainer, there is no chance this is going to move.

Let me tell my colleagues, we have an administration official who was quoted, on background of course, or anonymously, in the Washington Times as saying, in regard to this, yeah, it is going to be tough, but "we have a lot of educating to do."

□ 1815

I do not think there is enough educating to do to convince the American people that this Congress should take out of their pockets that kind of money, a 60-cent-a-gallon gas increase, or a doubling of home energy costs. That is just wrong. We cannot afford it, families cannot afford it, and it has to stop.

This is particularly unfair when we consider the fact that the administration has already exempted countries like China and India, and of course they will not have to pay these energy costs to pay for the global treaty being put in effect, only American taxpayers. That is just wrong and it is going to harm us even more.

My colleagues, I do not think there is any question that this excessive greenhouse tax appears to have all of the makings of a global group hug, leaving America's working poor, the middle class and the elderly flat out in the cold. We cannot afford it. I just hope for a change that Washington learns its lessons.

Usually Washington, under this administration, learns lessons slowly. This time, I am hoping that the American people will contact their Congressmen and women and when we gather back here, I know we are going to hear about it from each other, that when folks at home find out about this they are going to be indignant. They are saying we cannot afford a 60-cent-a-gallon gas tax increase or anything close to that, or any increase in our home energy costs.

Mr. Speaker, it is time to send a message loud and clear to the administration: We are not going to repeat the mistakes that they have tried to put on the backs of this country in the past.

TROOPS IN BOSNIA

The SPEAKER pro tempore (Mr. COOKSEY). Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, I rise tonight to speak briefly about three very important, but unrelated, topics.

First, it has now been more than 1 year since the President promised he

would have our troops out of Bosnia. There is no vital U.S. interest there. There is no threat to our national security there. We should not send young American men and women to overseas battlefields unless there is a definite threat to our national security or a vital U.S. interest. The American people do not want us there.

I remember reading 3 or 4 years ago on the front page of the Washington Post that we had our troops in Haiti picking up garbage and settling domestic disputes. Now we have our military doing social work in Bosnia. U.S. soldiers should not be turned into international social workers.

We have spent many billions in Rwanda, Somalia, Haiti, and now Bosnia, trying to settle disputes that we cannot solve unless we continue pouring billions and billions and billions of dollars into those countries. These are billions that some day we will very much wish that we had back to help our own people.

INCREASE IN FUNDING FOR IRS IS UNFOUNDED

Mr. DUNCAN. Second, Mr. Speaker, a few days ago on the floor, I criticized on this floor as strongly as I could the Treasury-Postal appropriations bill for giving the Internal Revenue Service a \$538 million increase in funding. What I did not know then and could hardly believe when I found it out later was that in conference \$120 million more was added.

Many of us voted against this, but the Congress passed a \$650 million increase for the IRS just at the conclusion of hearings on the IRS showing horrible abuse of the American people by that agency.

The cover of this week's Newsweek Magazine really says it all: "Inside the IRS: Lawless, Abusive, and Out of Control." Those are not my words, Mr. Speaker, those are the words of Newsweek magazine. Newsweek says the IRS is lawless, abusive, and out of control.

Mr. Speaker, the people want us to do away with the IRS, or at least drastically simplify the Tax Code. They especially do not want us giving the IRS huge increases in funding. If this is done next year, there is at least a small but fast-growing group of us that will attempt as hard as we can to defeat any increase in funding for the IRS.

SPORTS SALARIES HAVE GONE BERSERK

Mr. DUNCAN. Third and last, Mr. Speaker, is something that makes almost everyone in this country feel underpaid, and that is the scandal of ridiculously lavish sports salaries. The sports world quite simply has gone berserk.

A 21-year-old basketball player that very few people have even heard of signed a contract a few days ago for \$123 million over the next 6 years. A couple of years ago my two sons and I were driving along and we heard that a

baseball pitcher signed for \$18 million for 3 years.

I asked my sons, "Do you know how much \$6 million a year is?" The average person in my district makes between \$21,000 and \$22,000 a year. If a person averaged \$25,000 a year for 40 years he would make \$1 million. If a person is way above average and making \$50,000 a year he would make \$2 million over a 40-year career. A person would have to average \$150,000 a year for 40 years to make the \$6 million this pitcher now makes pitching a baseball one day out of every four. This is totally out of whack, Mr. Speaker.

An earlier speaker tonight discussed what he called a matter of fairness. Americans pride themselves on being fair. This is not fair at all, to pay even mediocre athletes several million dollars a year. No one can really earn or deserve some of these salaries, yet we are all helping pay these salaries through higher prices for everything.

I have always fought against higher taxes, but we really should greatly increase the taxes on all of these athletes, movie stars and CEO's who make over \$1 million a year, and lower taxes on middle-income people, even if only as a simple matter of fairness.

We also should begin a boycott of all of these major league sports teams who are paying these ridiculous salaries, and especially a boycott of all products with their nicknames on them because they take in so much money in this way.

I know we will not do this, Mr. Speaker, but if these salaries continue to escalate in such a crazy manner, the Congress should at least take action on the tax front. Already, mainly thanks to big government, the gap between the rich and the poor is growing rapidly. We need to recognize this problem and do everything we can to make sure that America once again becomes the fair Nation that it was in the past.

CONGRESS SHOULD NOT BE CAUGHT UNAWARES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. BACHUS] is recognized for 5 minutes.

Mr. BACHUS. Mr. Speaker, sometimes we are caught unawares without any warning. Last month there was a commuter strike in San Francisco where over 270,000 commuters found themselves without a way to work and a way home, when the 60-day cooling-off period expired on a labor dispute out there and the San Francisco Bay area's commuter railroads were shut down.

About the same time here in Washington, afternoon commuters who were going home on VRE suddenly found that their trains were not leaving Union Station, and tens of thousands of them were stranded when dis-

patchers at Norfolk Southern called a wildcat strike. Now, these were regional strikes, they were unforeseen but they caused a great deal of disruption.

What may be happening to our Nation that I think most of the Members of this body are unaware of is another strike on the magnitude of the UPS strike. The gentleman from New York mentioned "Groundhog Day," where suddenly Bill Murray woke up and it was the same day all over again.

We could very well be facing that again later this month. The date: October 22. Amtrak is faced on that day with a possible national shutdown because of an impasse between the Brotherhood of Maintenance of Way employees and themselves over wages and work rules.

What precipitated this latest crisis was a Presidential emergency board, actually ruling 232, recommending that Amtrak pay the union employees what amounts to \$25 million in wage increases, including some retroactive payments, and left another \$30 million in arbitration. If this pattern were to continue, if this Presidential emergency board ruling were applied to all 27,000 Amtrak employees, it would cost Amtrak an additional \$136 million. Amtrak, which as we all know is financially strapped, has simply taken the position that it cannot pay what it does not have, and it cannot pay these increases.

As I said, this 30-day cool-off period expires on October 22. That is one day after we return from recess. At that time, I fully expect that Congress will be in the middle of resolving a strike or taking steps to prevent a strike. If Amtrak is shut down, it will not be a commuter authority, it will not be like San Francisco or Virginia, it will be nationwide. It will not be thousands of commuters, it will be millions.

On the northeast corridor alone, think about this impact: Not only does Amtrak operate several hundred trains, but also commuter authorities in Boston, the MBTA operates over Amtrak territory; Connecticut DOT, Long Island Railroad, New Jersey Transit, SEPTA, Southeastern Pennsylvania Transit Authority; MARC and VRE. We are talking about commuters all up and down the northeastern corridor being unable to get to and from work. We are also talking about 73 freight trains on the northeastern corridor alone that would not be able to get to and from their customers.

If this happens, the strike in San Francisco will pale by comparison and it will not be one city.

What can we do about this? I would urge the Members of this body to come together and push for reauthorization of the Amtrak bill, or to authorize the Amtrak bill that has been reported by the Committee on Transportation and Infrastructure on which I am a member.

I would also urge labor not to take this position of a win-at-all-costs position. Unfortunately, they are holding up the authorization legislation this year because they are opposed to the same language in the bill that two years ago they wrote, language which would have been enacted as part of this year's tax bill and given Amtrak access to funds. Now, these same unions are demanding a pay increase. They are now demanding that Amtrak pay this.

In conclusion, Mr. Speaker, we have got to start thinking about what we are going to do. If we do not, we will wake up October 22 or sometime thereafter faced with a national crisis, and the American people, and us, will be caught unawares.

Mr. Speaker, I include for the RECORD data in support of the topic of my special order this evening:

EFFECTS OF A 1 DAY STRIKE AGAINST AMTRAK

Amtrak either operates or allows access over its tracks to 10 commuter agencies serving communities in 12 states. A one day strike would strand or frustrate the communities of nearly 600,000 commuters.

Depending on the scope of the strike, all Amtrak trains could potentially cease operation. Amtrak's average daily ridership is 60,000 passengers. This would idle 253 trains, stop service to 510 communities, 130 of whom have no direct air service, and 113 of whom do not have intercity bus service.

Each day of the strike will likely cost \$3.8 million of lost revenue while costs will likely go up. In addition, Amtrak receives nearly \$200,000 each day in mail revenues which would likely be lost. Mail service would be delayed to 35 cities nationwide.

Freight train operations on Amtrak owned property would also be disrupted or canceled. On the Northeast Corridor alone, freight operators serve 308 customers, including such large industries as Chrysler, Proctor and Gamble, and Delco Battery. Twenty-seven of the 308 customers are listed as Fortune 500 companies. Amtrak is a vital link for all freight shippers and their customers along the Northeast Corridor. Each day approximately 73 freight trains use the Northeast Corridor and 2 daily trains serve 6 customers on the track Amtrak owns between Porter, Indiana and Kalamazoo, Michigan.

There is currently nearly 250 non rail-related construction sites on or near the Northeast Corridor. To access these sites, construction crews must cross Amtrak property each day to access job sites adjacent to the corridor. In the event of a strike, Amtrak could not safely allow access over its property potentially curtailing or idling work at these sites.

In addition, to the lost revenues, Amtrak expects that additional costs will be incurred from the securing of facilities and equipment. This cost will escalate with each day the system is idled.

The effects of the strike will linger for several months and be reflected in lost reservations and customer uncertainty. The strike will also damage customer loyalties enjoyed by commuter authorities. Even a short strike could be devastating to the Virginia Rail Express still reeling from service disruptions in June and July.

Once any portion of the railroad right of way that Amtrak owns or inspects has had a complete shutdown, it could be up to 24 hours before any train can operate again.

This time is required to perform federally mandated safety inspections.

If a system shutdown lasts more than 2-3 days, condition such as rusty rails could keep the railroad shutdown for as much as 1½ days beyond resolution of the dispute. If a system shutdown lasts longer than 3 days, it will take as much as 1½ to 3 days before trains can operate again.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington, Mrs. LINDA SMITH, is recognized for 5 minutes.

[Mrs. LINDA SMITH of Washington addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

WHITE HOUSE INTENTIONS AT KYOTO CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DELAY] is recognized for 5 minutes.

Mr. DELAY. Mr. Speaker, I rise today to talk about the Clinton White House and its intentions at the Kyoto Conference regarding global warming. Most Americans are not aware that there will be a conference in Japan.

Protecting and preserving the environment is a goal shared by all Americans. We all want to drink clean water, we want to breathe clean air, and we want to pass on a cleaner America to our children. We could get there by taking common sense steps to clean up our environment, by encouraging smarter partnerships between State and Federal governments, and by relying on sound science while resisting media scares, but we cannot get there by increasing regulations, increasing taxes, limiting freedom, slowing economic growth, and hurting our Nation's competitiveness. We cannot get there with policies that encourage abortions worldwide.

Sadly, the Clinton administration has embarked on the second path. They have promulgated clean air regulations that will strangle economic growth and affect every American family's lives.

□ 1830

They have floated an energy tax that will hurt American consumers, proposing as much as a 60-cent increase in the cost of a gallon of gas. They have publicly supported policies that will lead to a worldwide assault on unborn children, and they may even sign off on a global warming treaty that will hurt our competitiveness at the expense of other nations, cost Americans thousands of jobs, all for a cause that makes, frankly, Chicken Little seem rational.

Today I want to focus on the Global Warming Treaty that will be discussed at the Kyoto conference later on this fall. Asthmatic children will be victimized by this treaty. Just look at what is going on today.

In order to stay in compliance with its provisions, the Environmental Protection Agency has embarked on a crusade to ban inhalers used by asthmatic children because they contain chlorofluorocarbons. Though CFC-powered inhalers account for less than 1½ percent of the world's CFC emissions and although these same inhalers are the best and cheapest way for inner city children to get relief from asthma, and I do not know if Members know, but inner city children are six times more likely to die from asthma attacks, these inner city children get relief by these cheap and good inhalers, but the EPA wants to eliminate these products from the market.

Dozens of medical groups have petitioned to bring some common sense to the EPA, but those pleas, unfortunately, have fallen on deaf ears. The regulations will go forward, no matter what will happen to the children of this country and around the world, for that matter, because many countries follow the lead of the EPA.

But it is not just asthmatic children who will be victimized by this treaty. Unborn children will also be victimized. Just last week the Vice President, AL GORE, implied that overpopulation fosters global warming and suggested that expanding abortion programs in developing countries would help protect the environment.

According to Washington Times, the Vice President said, and I quote,

The Vice President, warning that the overpopulation fosters global warming, yesterday suggested expanding birth control and abortion programs in developing countries to help reduce the environmental threat.

Mr. Speaker, killing children is no way to protect the environment. Children will not be the only victims of this Global Warming Treaty. Our Nation's economic health is also at stake. At the Kyoto meeting the United States and other developed nations may enter into an agreement that will force them to reduce greenhouse gas emissions. That agreement, however, will let developing nations off the hook. In fact, developing nations such as China, South Korea, India, and many others, will not face any emissions reduction requirements. These nations will benefit at the expense of the United States and retroactivity of the developed world. The United States will be forced to raise taxes and impose harsh emissions restrictions and regulations, causing U.S. companies to ship jobs and factories overseas to those nations not bound by the Kyoto treaty.

Mr. Speaker, I think the real environmental disaster is this administration and its attitude towards our world's children and for America's working families.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2169, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105-314) on the resolution (H. Res. 263) waiving points of order against the conference report to accompany the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2607, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 105-315) on the resolution (H. Res. 264) providing for consideration of the bill (H.R. 2607) making appropriations for the government of District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUSE OF MEETING ON THURSDAY, OCTOBER 9, 1997

Mr. DREIER. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it reconvene at 9:30 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

THE INTERNAL REVENUE SERVICE CUSTOMER SERVICE IMPROVEMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. MORAN] is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, my constituents continually remind me of their frustration with the IRS. Not all the problems taxpayers have with the IRS are making headlines. The kinds of problems my constituents tell me about are less spectacular but no less frustrating. Oliver Wendell Holmes famed the quote, "Taxes are what we pay for a civilized society," but in my opinion, this does not justify the government's collection of taxes in an uncivilized manner.

I have introduced the IRS Customer Service Improvement Act. I have supported the IRS Customer Service Improvement Act legislation addressing

numerous taxpayer complaints in dealing with what most Americans consider to be one of the most onerous of all Federal agencies.

For example, I recently spoke with a CPA in Kansas who told me of his many experiences with the IRS. One of his greatest frustrations has always been the ability to reach anyone at the IRS when he had a question he needed answered. Recently, in an attempt to get some simple information, he was forced to assign an employee to staff a phone and wait to connect with an IRS agent. Well, patient paid off Mr. Speaker, and they finally did get through—5 hours later. This is just one example but it is simply unacceptable—and the list goes on.

The IRS Customer Service Improvement Act addresses seven areas of taxpayer concern.

First, it would require the IRS to implement a plan to have all phone calls answered promptly by IRS employees, not machines or voice mail mazes.

Second, the bill would require all letters and notices mailed out by the IRS to be signed by an IRS employee. Too often notices are mailed out, sometimes in error, to taxpayers who then have to sort out what their mistake was and what they need to do about it.

I hear this complaint repeatedly. And while we expect taxpayers to be accountable; IRS agents should be as well.

Third, the bill would equalize the interest rate you pay the IRS for underpayments, making it equal to the interest that the IRS owes from you for overpayments.

Currently, the IRS holds an unfair advantage.

Fourth, one of the really discouraging revelations of the oversight hearings has been the IRS's preference for targeting taxpayers who do not have the resources to defend themselves from audits.

The IRS Customer Service Improvement Act would address these injustices by shortening the period of limitations the IRS must meet to assess additional taxes on returns filed by middle-and low-income taxpayers. Current limitations allow the IRS to find errors on three-year-old returns that can snowball into 3 years' worth of penalties and interest for people who cannot afford to fight. The new limitation would not apply to fraudulent returns, so those who do, in fact, cheat would not be protected.

Fifth, simple mathematical and clerical errors should not lead to large, unexpected penalties. This bill would require the IRS to notify taxpayers of mathematical or clerical errors in their returns within 6 months. Late notice would cancel penalty and interest.

Six, taxpayers would have the opportunity to correct their errors quickly, within 60 days, without facing penalties. Most Americans are more than willing to make good on simple mistakes if given the opportunity.

Seventh, the bill would include a provision that makes electronic filing of taxes voluntary for small business.

[The Taxpayer Relief Act of 1997 included a 1-year delay in the enforcement of mandatory electronic filing, but this provision, like the bill sponsored by the gentleman from Washington [Mr. HASTINGS], makes the exemption permanent.]

Make no mistake, this legislation is certainly not a substitute for full-scale, long-term tax reform, which should be the goal of this body. If these provisions are successful in making the IRS more accessible and fair, it still would not change the fact that the U.S. Tax Code is far too complex and takes too much money out of the hands of working families.

Until the day that wholesale tax reform is in place, the American people will be forced to continue to deal with the IRS every day. With this bill we can help level the playing field for taxpayers, while making the IRS more accountable and accessible. If you want to remind the IRS what the "S" in its name stands for, please join me in supporting this bill.

I would now like to further elaborate on how our tax code in all its complexity, negatively weaves its way into all our lives. While acknowledging the fact that we must have some capability of collecting taxes, we must pursue avenues by which we do so more efficiently and accurately. Further we must leave behind what is perceived as a cold, heartless bureaucracy that cares little of the frustration and devastation it places upon those the IRS purports to serve: the American Taxpayers.

Mr. Speaker, I quote, "The purpose of the Internal Revenue Service is to collect the proper amount of tax revenue at the least amount of cost, serve the public by continually improving the quality of our products and services; and perform in a manner warranting the highest degree of public confidence in our integrity, efficiency, and fairness."

Does this statement accurately reflect your view of the IRS? If you are like most Americans, probably not. However, this is the actual mission statement that guides the IRS in serving the American people.

With businesses throughout our Nation constantly reevaluating and retooling their efforts in improving customer services, too often our Federal Government remains unresponsive and behind the curve in serving its clients—the American taxpayers. Nowhere in government is this more frustrating or directly touches more lives than when dealing with the IRS.

Recently this Congress passed some healthy tax relief. In general, my constituents viewed this very positively. However, they also expressed justifiable criticism that the tax relief provisions that were passed further complicated an already complex Tax Code.

And while I agree, we must observe that this is the absurdity of the present tax code: to even cut taxes we must complicate the tax code further.

Mr. Speaker, let us look at some notable statistics involving the Internal Revenue Service: The IRS is twice as big as the CIA and five times the size of the FBI, with over 100,000 employees who control more informa-

tion about individual Americans than any other agency. Currently there are 480 separate IRS tax forms. Over 10 million correction notices are sent out each year. Small businesses spend \$4 dollars in compliance for every \$1 dollar they actually pay in taxes to the IRS. Individuals and businesses spend at least 5.4 billion hours a year figuring out their taxes, more man-hours than we spend building every car, truck, and airplane manufactured in America. It is estimated that we spend between \$200 and \$300 billion each year paying others to complete their complex tax forms for them. According to the IRS, in 1995, 2.1 million tax returns were audited at a cost to the IRS of nearly \$1 billion dollars.

The IRS has spent \$4 billion dollars on upgrading its computer system that it now admits doesn't work. According to a recent General Accounting Office report that the IRS could not account for \$216 billion in delinquent taxes in 1996. Other comprehensive GAO audits have shown consistently that the IRS cannot even balance its own financial books. Again, the agency charged with the collection and accounting of the nation's tax revenues has consistently failed to balance its own books.

Mr. Speaker, this is a pretty sad commentary on the current state of the IRS.

We now have a unique opportunity, and in fact an obligation, to begin a serious national debate on how best to fundamentally reform our Nation's broken tax system. It is a system where we spend simply too much time filling out too much paperwork to send too much money to Washington.

Under the current tax code the Federal Government simply has too much power and control over peoples' lives.

Since the income tax was first established, politicians have talked about reforming, fixing, or replacing the system, only to end up making it more unfair, more complex, and more intrusive. The New York Times, in a 1909 editorial opposing the very first income tax, predicted, "When men get in the habit of helping themselves to the property of others, they cannot easily be cured of it."

Eighty-eight years later, this prediction has proven disturbingly true. For the time being, however, let us implement the reforms included in the IRS Customer Service Improvement Act as we move toward further discussions over replacing the current Tax Code.

THE ISSUE OF PARTIAL-BIRTH ABORTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUMANN. Mr. Speaker, I rise this evening to speak about a topic I do not want to generally talk about on the floor. And to my colleagues who follow C-SPAN on the afterhours quite regularly, I have never spoken on this

particular topic before, and frankly, I would rather not speak on the topic, because I do not think we should even be talking about this topic in the U.S. of America. It should be an issue that was dealt with a long time ago. It should be an issue we do not even need to talk about, because it is so simple and straightforward in terms of how wrong it is.

Two years ago, three years ago, when the good people from southeastern Wisconsin elected me to this office and gave me the privilege of serving here in the U.S. House of Representatives, one of the first things that happened out here in Washington, as I swore to uphold the Constitution of the United States of America, part of that Constitution guarantees life, liberty, and the pursuit of happiness to every American citizen.

When I think about the topic, and we dealt with this here in the House today, and it is the reason for being here this evening to talk about it, when I think about this issue and how it relates to our Constitution, and equally more important is how it relates to the moral values in the United States of America, and how we could let this continue in this great Nation we live in.

So I rise tonight to speak on partial-birth abortions, and I am going to spend a portion of the hour allocated here this evening on this topic. Again, it is a topic that I would rather not talk about, because I do not think the issue should even be discussed. It should very simply be solved. There should be no partial-birth abortions in the United States of America, or in any civilized society.

I think one thing that happens in our society is we take very difficult topics and we say they should be shoved under the rug. We would rather not see them and not know them, because if we do not know them, we do not have to be upset about them.

To be perfectly honest, when I was sworn in 2 years ago, I had no idea that partial-birth or live birth abortions were going on in this great Nation we live in. Some people gradually from the pro-life community forced me to focus on this particular topic. They forced me to focus on what a partial-birth or live birth abortion actually was.

What happened to me as I learned about this topic and learned what was actually happening is it became harder and harder and harder to not specifically address the topic, because it is so wrong. We cannot turn our backs on it. It does not go away by hiding the fact. It is an issue. It is a fact that partial birth or live birth abortions are going on in the United States of America today.

I have to say that if this was done to a dog or if it was done to an animal, the Humane Society, the people that protest these sorts of things, they

would be standing out on the Capitol steps today protesting that this was being done to animals. Yet, we continue to do it in America to live babies.

I want to describe what a partial-birth abortion is. I want to show Members just how outrageous this process is. Again, I know most people in America do not want to know about it. They cannot believe this sort of thing is going on thousands of times in the United States of America each year. I think it is important, and it is something we as a society cannot turn our backs on.

What happens in a partial-birth abortion is a doctor takes a forceps and reaches into the womb of a pregnant woman. He finds the leg of the baby or the ankle of the baby, and he literally pulls the ankles and arms of the baby out of the woman.

At this point, with the ankle and the arms actually out of the woman and the legs moving around, the doctor sticks a scissors or a forceps in the back of the head of the baby, so just before the head is delivered the baby is killed. That is what a partial-birth abortion is. I have to tell the Members, back home when I talk about this topic, the room gets dead silent. Any time I am in a room talking about it there is dead silence, because people do not want to talk about it.

What is really amazing to me is they call me radical. I am willing to say we should end this practice in the United States of America. I am the one they call radical because I say this is wrong. Killing a baby whose arms and legs are moving around, putting a scissors in the back of the head of that child, makes me radical when I say that practice should be stopped? What kind of a Nation is it that we live in that would consider my position on this, that this practice should be stopped today, as radical, and the people that say it is OK if we go ahead and do this, for whatever excuse they want to, those are the normal people in this country? Wrong. Those are the radical people in this country.

It is about time it was brought to the attention of the American people just exactly what is going on in a partial-birth abortion or live birth abortion, and the process should be banned. I would like to bring folks up to speed on what is happening on this particular issue.

We have brought a bill to the floor of the House of Representatives to ban this outrageous practice. As a matter of fact, in the House of Representatives we have from the State of Wisconsin nine elected Representatives here in the House. Some are Democrats, some are Republicans, some are pro-choice, some are pro-life.

All nine elected Members from the House of Representatives from the State of Wisconsin voted to end this practice. Whether we were pro-life or

pro-choice, wherever they are on that particular discussion, they all understand that this topic is far beyond normal, and it should be ended immediately, and all nine of us voted the same way on this issue again today.

□ 1845

As a matter of fact, in the House of Representatives 297 out of 435 of us looked at this picture and said this is outrageous. I know there are some others over there who said, well, we probably should end it in most cases but maybe sometimes it is all right.

And again the bill did make the exception for the life of the mother, but they want to add things like the "health" of the mother. We are not sure they are talking about financial health or mental health or physical health. But they want to make enough exceptions so that we can keep doing this in this Nation, and that is just plain wrong.

Mr. Speaker, I point out, this is not just a pro-life/pro-choice discussion. Looking at this picture, if this was an animal that we were describing up here, there would be activists all over this Capitol protesting this procedure. This is a life, a precious baby. I was there when all three of our children were born, and I cannot imagine on our worst day in this Nation that the good people in this country would be willing to understand this process and not stop it.

So in the House, 297 of us voted to end the process. In the Senate, the majority have already voted to end partial-birth abortions in America. The bill is about to go to the desk of the President of the United States, and he is expected to once again veto the bill. After the bill is vetoed, it will come back to the House of Representatives. When it comes back to the House, we will have another vote on it. We need two-thirds, or 290 votes on it, to override the President's veto.

Mr. Speaker, we had 297 votes here today, and we fully expect to overturn the veto in the House of Representatives. In the Senate, they are currently three votes short of the necessary votes to overturn a veto by the President of the United States.

So this evening to my colleagues I have two messages. First, I would like to encourage my colleagues to talk to the people in the House that did not vote the right way today and encourage them the next time to take a look at what a partial-birth abortion is. Get rid of the political rhetoric. Get rid of the idea that we are going to be called a radical if we vote to end live-birth abortion.

Mr. Speaker, the radical people are the ones who think it is all right that if the arms and legs of the baby are moving around, that it would somehow be acceptable to stick a scissors in the back of the baby's head. That is radical, and it is about time somebody

starts calling those people the radical people that they really are and starts understanding that the people that are fighting to stop this procedure are the normal people and represent the masses of people in the United States of America.

In the State of Wisconsin, people looked at this procedure the last time this vote came around, and they actually started recall petitions against the two Senators from Wisconsin who voted to allow this procedure to continue. They were short. They accumulated 300,000 petitions. They were short of the number necessary to actually do a recall.

Now, I do not know how I feel about recall elections; not real good about them for the most part. But the idea that this many people got motivated to do something about stopping this process, that says a lot. I think it says a lot about the people of Wisconsin and nationwide, because when people understand what a partial-birth abortion is, it is going to become clear that the process should be stopped.

What I expect to happen in the not too distant future, I expect the bill to go to the President of the United States, and I would expect the President to veto this. And I would hope my colleagues would talk to the President and with their friends on the other side of this body and do everything they can to make sure this is not vetoed and that this process is banned and outlawed in the United States of America.

I also hope when we get the bill back that we maintain the 290 votes necessary to override the veto here in the House. And I hope that the good Lord provides the wisdom to the Senators who voted for allowing this procedure to continue to see the wisdom to changing their vote the next time it comes back to them so that we can override the President's veto.

Mr. Speaker, I very seldom talk on this topic. Most folks who follow C-SPAN presentations know that I talk a lot about budget and budget procedures and tax cuts and so on. But before I go to that topic, I would like to go to another one that I have not talked about for some time, and that is the Social Security system.

There are a lot of senior citizens in America today that rely heavily on the Social Security system for their day-to-day living needs. In Washington, we have been bringing good news to people. We have been bringing the news that for the first time next year the budget will be balanced, the first time since 1969. We are lowering taxes, the first time in 16 years that has happened. Medicare has been restored for our senior citizens.

But all the problems have not gone away, and we need to understand that even after we balance the budget, the Social Security system remains in jeopardy. So before I go into other

budgetary matters this evening, I want to talk briefly on the Social Security system and make sure that we make clear what is happening in the Social Security and what we need to do to solve the problem.

The Social Security system last year brought in \$218 billion in revenue. They went into the paychecks of working families and people in America today and took out Social Security taxes. When they were done collecting those taxes, they collected \$418 billion. They wrote out checks to our senior citizen of \$353 billion. That is right, they actually collected more money in taxes than what they paid back out to our senior citizens in benefits. That is \$65 billion, as a matter of fact, that they took in more than they paid back out to our senior citizens in benefits.

Mr. Speaker, the reason for that is because the baby boom generation is rapidly headed toward retirement. And when the baby boom generation gets there, these two numbers are going to be turning around. There will be less money coming in from taxes than money going back out to our senior citizens in benefits.

The idea is, we collect the extra money now and put it into a saving account, we let the savings account grow until the baby boom generation reaches retirement, and then when these two numbers turn around and there is not enough money coming in to pay the bills, we go to that savings account, get the money, and make good on the Social Security checks that have been promised to our senior citizens. That is what is supposed to be happening.

It should come as no great surprise to anyone who closely follows Washington that that is not what is going on. What Washington is doing is, they are taking that \$65 billion, they are putting it into the big government checkbook. Think of this much the same as any household checkbook. They are putting it in the general fund or the big government checkbook.

When they are done writing checks out of the big government checkbook, they have overdrawn the checkbook. That is the deficit. So they write out more checks than what they have in the checkbook each year. That is why we have had a deficit each year since 1969.

With no money left to put down in the Social Security Trust Fund, or into that savings account, they simply at the end of the year write an IOU to the Social Security savings account.

This is what is going on today. Instead of that money being put aside in the Social Security Trust Fund the way it is supposed to be, the money is going into the government general fund, the big government checkbook. They spend all the money out of the big government checkbook so there is no money to put in the Social Security

savings account, and they simply write an IOU to the Social Security savings account. Mr. Speaker, that is wrong and needs to be stopped.

It is important to understand that when Washington says they are going to balance the Federal budget, what Washington means by balancing the Federal budget is, when they are done writing these checks out of the government checkbook, there is an even or zero there.

Well, what that fails to take into account is, this \$65 billion that came from Social Security that is supposed to be down here in the trust fund was put in the big government checkbook, and even if the big government checkbook is balanced, they still have not put the money down in the Social Security Trust Fund.

So even after we reach a balanced budget next year for the first time since 1969, and let us not downplay that, that is important and good, it is a great step in the right direction, but even after that is done and we reach a balanced checkbook or a balanced budget, they are still using the money that is supposed to be put in Social Security to make it look like it is actually balanced.

So what are we doing about that? In my office, we have drafted and introduced legislation. It is called the Social Security Preservation Act. And this legislation does not take Einstein to figure out. I think in most businesses across America today it is straightforward. It is what you should be doing with your pension fund. It simply says that the money collected for Social Security must be put directly into the Social Security Trust Fund.

Again, this is called the Social Security Preservation Act, and it is very simple. It simply says that that surplus money that is being collected today for Social Security to preserve and protect Social Security for our senior citizens must be put into the Social Security Trust Fund.

It never fails to amaze me. When I am at a town hall meeting and say, "How many people think we ought to be doing it this way?" it is virtually unanimous. Outside of Washington, everybody believes we ought to be doing this, not just a few or one or two here or there. It is pretty straightforward. If a business took the pension money, put it in the checkbook and spent it and put an IOU in the pension fund, it would be illegal and they would be arrested. There is no question about it.

So the second topic I wanted to deal with tonight before we get into some of the other budgetary matters is the idea that this money for Social Security needs to be set aside for the purposes of Social Security.

The third topic that I wanted to go into, and, again, as we go into this, it is important to note that we are going

to hit the first balanced budget for the first time since 1969 next year. We are going to start running surpluses. So what we should be doing is restoring that money for the Social Security Trust Fund.

Mr. Speaker, I think it is important that we know that we have hit a balanced budget for the first time since 1969. As we talk about these tax cuts, the tax cuts are part of the surplus that is being accumulated, and there is enough money in that surplus to both restore the Social Security Trust Fund, keep a balanced budget, and reduce taxes at the same time.

I am going to show why that is all possible in a few minutes, but before I do I that, we should go through what is in the tax cut package, because of everything else we have done out here in Washington, D.C., this year, this is going to have the most immediate, direct impact on the people who get up every morning and go to work for a living.

What we are really talking about when we talk about tax cuts are these folks who do get up and go to work for a living. Those folks, instead of sending money to Washington, they get to keep it for their own homes and their own families. That is what tax cuts are about.

Let us start with one that affects 550,000 Wisconsin families; 550,000 Wisconsin families alone will benefit from the \$400 per child tax cut next year.

The way the tax cut works is this: For all the children under the age of 16, at the end of the year the folks figure out their taxes and how much they would have sent to Washington, D.C., and subtract \$400 for each one of those kids. It is very simple to understand: Figure out how much would have been owed, subtract \$400 off the bottom line. This is a tax credit, not a tax deduction.

But let me put this a better way. In January of next year, what should happen is, those 550,000 families should go into their place of employment and simply ask that they reduce the amount of money sent to Washington by \$33 per month per child.

So on January 1 of next year, I would hope that the Wisconsin families and others like them all across America would go to their place of employment and reduce the amount of money that is being withheld for Federal tax purposes by \$33 per month. The \$33 per month is \$400, the total tax credit, divided by the 12 months in the year.

So I hope on January 1, if it is a family of five out there, three young kids at home, 3 times 33, or roughly \$100 a month that should be kept in their own home instead of sending it to Washington.

Mr. Speaker, there is more to it. A lot of times people ask me about education. I am a teacher by trade, and I think education is extremely impor-

tant for the future of this country. If our education system is not strong and our young people are not well educated, there is no hope for this country. I think the significance and the importance that we place on education is seen in the tax cut package.

As a matter of fact, if he is a freshman or sophomore in college in virtually all the cases, if they are paying \$2,000 or more to go to college, freshman or sophomore in college or tech school, they will get to keep \$1,500 more in their own home next year to help pay for their college tuition. For freshmen and sophomores, it is basically \$1,500 in most cases, and for juniors and seniors, it is 25 percent of the first \$5,000 of cost, or roughly \$1,000 in most cases. So when we talk about college students or people going back to school for an education, this is real dollar help.

A family of five in Wisconsin where one is in college and two of the kids are still home, they will be keeping \$2,300 a year more of their own money in their own home starting January of next year. They should literally increase their take-home pay by \$200 a month.

A family of five, one in college and two kids still home, they get \$400 for each one of the kids still home, which is \$800, plus \$1,500 for the college tuition credit; \$2,300 for a family of five, two kids at home and one off to college.

Mr. Speaker, it does not end there. I had a person at one of our town hall meetings ask me. She said to me, "I am married without any kids, and I am going back to school." This young lady apparently was working full-time as well as going to school at the same time. She said, "Does this affect me?" And the answer to that question is definitely yes.

As a matter of fact, to that young lady who asked me the question, what happens for her is, the tuition that she pays to go back to school while she is working full-time, if it is less than \$1,000, will be fully refunded by decreasing the amount of taxes she sends out to Washington.

If we are talking about young people who are trying to get themselves a better opportunity by improving their education, that education cost will be deducted at the end of the year and will show up as a tax credit for them.

So it is not just the college-age students that we typically think of as college-age students. It is young people out in the work force, going back to school to provide a better opportunity for themselves and their family in the future.

One more thing. There are a lot of college graduates that take their first job and then, while they are working, go back to school to get their master's degree. That would fall under the classification of 20 percent of the first \$5,000 of costs. So those folks that are

back in school getting their master's degree after they have already graduated from either high school or college, they are eligible for this tuition tax credit.

Mr. Speaker, our commitment to education, however, did not end there. In addition to the college tuition credits, we have set up a program where, if there are young children in the family, up to \$500 a year can be set aside for those young children, so that when they reach college age there will be money available for them to go to college. It works like this.

□ 1900

They can put up to \$500 per year into the account. The money accumulates tax free until the child reaches the age to go to college. They can then take the money out of that account and use it for purposes of going to school.

Where I found that a lot of people are interested in this is that the grandparents, a lot of times there is a lot of grandparents with grandkids who wonder what they should get them for Christmas, birthdays, whatever. We found a lot of grandparents that are interested in using this educational savings account as a gift to the grandchild. And what better gift than something that will help them with their college education when they reach college age?

The tax cut package did not end there. A lot of young people asked me, "What about us? You have not talked about us yet." A lot of senior citizens asked me, "You really have not hit us yet in terms of helping lower our tax burden."

To them, if 74 percent of the seniors in Wisconsin own their own homes, and lots of young families own their homes and are transferred around the country from maybe a higher home cost area to a lower cost area, the home sale tax code has changed. If it is their personal residence and they have lived in the home for two years and they sell it, there are no Federal taxes due on the sale of that home. That impacts folks in a lot of ways.

We have people from California where home prices are higher than they are in Wisconsin, transferring to Wisconsin for whatever job purpose, to provide a job opportunity, for a better life for themselves and their family, so they sell that home in California and they come to Wisconsin where it is a little less priced for a home. Rather than owing big amounts of money to the Federal Government for taxes on the home they sold in California, there is no tax due on that sale.

It works also for senior citizens who used to have what is called the 55 exclusion. A lot of folks were very familiar with the one time age 55 exclusion. That is gone. A lot of our senior citizens took the one time age 55 exclusion, sold their big home and bought a

smaller home that they plan to live out their retirement in. If they bought that smaller home 10 or 15 years ago, they might have bought it for \$40,000 or somewhere thereabouts, it has probably appreciated significantly.

Maybe now our senior citizens are ready to sell that home that they bought at age 55 or age 56. So they took the one time exclusion 10 years ago, they are in this other home. If they would have sold that home before, there would have been no exclusion, they would owe Federal taxes on it. Under the new law when the senior sells their home for whatever reason, there are no Federal taxes due provided they have lived in the home for a two-year period of time.

Again, there is an upper end cap in this, but in Wisconsin it will affect virtually none of the homes, and elsewhere in the country there may be some effect. But foremost cases, there are no Federal taxes due.

The other ones that talk to me about it is people where all their kids are grown and gone and they have left the home. Kids are saying none of these things have affected me yet. There is also what is called the Roth IRA. We have a lot of union workers in particular who say, "I am in a 401(k) so I cannot do anything more to save up for retirement." The Roth IRA is available even if people are already in a 401(k) or some other kind of retirement plan.

The Roth IRA works like this. They put in after-tax dollars but the money accumulates tax free to retirement, and when they reach retirement and take the money out, it is absolutely tax free. This is a dynamite way to save up for retirement. They put in after-tax dollars, the money accumulates tax free. When they take it out at retirement, it is absolutely tax free.

Mr. KINGSTON. Mr. Speaker, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, I think the important point of all this is there are a lot of different savings accounts that may work for a family, but the emphasis is that the tax system as we have passed it recognizes the importance of saving for the future. Right now I think the consumer debt is something like \$4 trillion nationwide. It may even be bigger than that. But we as a society need to start saving money for the future. And by implementing these new IRA type savings accounts, that is what we are doing.

Mr. NEUMANN. Is it not great that instead of the government dictating and mandating what kind of program is going to fit all the people in America, instead of doing that, we set this plan up and we let people decide which way they would like to save up for their own retirement.

The other great thing about the Roth IRA is that if they are a young couple

and they do not own their own home yet, they would like to save up to buy their first home, they can put the money into the Roth IRA. It earns interest tax free. They can take up to \$10,000 to buy their first home, or if that same young couple would later like to go back to college and save up to go to college, they can take money out of the Roth IRA for purposes of either the first home or going back to college. It is really a good setup for an awful lot of people in this country.

I have not mentioned the capital gains tax cut. Maybe Mr. KINGSTON would like to go through a few of the details on the capital gains tax cut.

Mr. KINGSTON. Mr. Speaker, I appreciate the gentleman yielding to me.

The capital gains tax rate has been 28 percent on items that a person sells for a gain, the amount of money that they have made on it. Now, it is ironic because there again we are taxing savings and we are taxing money that has already had taxes paid on it.

The typical example that I see over and over again in my area, which is a growth area where we have a lot of senior citizens, many of them have saved all their lives. Now they are in their upper years and they want to cash in maybe some of the stock that they have saved and maybe use it for a medical emergency, maybe for some long-term care, whatever, residential care, but they are taxed at this 28 percent rate.

Under our plan, depending on what their bracket is, they would be taxed at 20 percent, possibly as low as 15 percent, depending on their income bracket. Personally speaking, I would love to have zero capital gains tax for people like that, but if we can start with that, I think it will help seniors a lot and, again, encourage people to save money.

Our office went back to 1956 Treasury records and every time that the capital gains tax rate was low, revenues from capital gains had increased. But when the rate is high, people hold their assets and as a result there is not much revenue from it. I believe that this is going to be extremely beneficial, not just for the economy but for deficit reduction.

The gentleman has been such a champion on deficit reduction, I almost would be willing to predict that with the surge of new sales of assets and so forth because of this capital gains tax reduction, that we will potentially as soon as next year be able to balance the budget.

Mr. NEUMANN. I do not know if you caught the new numbers now being talked about out here in Washington. We are looking at a \$23 billion deficit, the lowest deficit since the early 1970s. As a percent of GDP, it is the lowest deficit we have had since the very early 1970s.

Mr. KINGSTON. Under the Neumann budget, which you authored and I sup-

ported, had that passed, that deficit would have been zero probably.

Mr. NEUMANN. That is absolutely correct. Do you remember when we first introduced that? I was three months here on the House floor. Our leadership was kind enough to allow us to have a vote on our package. We only got 89 votes on it. It would balance the budget by the year 2000. Everybody said we cannot possibly do this by the year 2000.

Here we are in 1997, and because of two things, the economy has remained strong, but while the economy remained strong this body out here, the people that are here now slowed the growth of Washington spending. In the past whenever the economy was strong, Washington spending exploded. They spent all those extra revenues.

I have a chart, if the gentleman would bring that chart; as long as we are on that topic, I think it helps us to see. I think it is important to be able to see a picture of what has happened with the strong economy, with the strong economy at the same time revenues were growing to the Federal Government.

The body that is here now since 1995, rather than increasing spending as they always did in the past, we have slowed the growth of Washington spending. Before we got here in 1995, back in 1993-94 spending was growing at 5.2 percent annually at the Washington level. At the same time revenues started growing very rapidly to the Federal Government, we have literally slowed the growth of Washington spending. So it is these two things together that have put us in a position where we can literally get the budget balanced in fiscal year 1998.

I am not afraid to go on record, 1998-99, we will have the first balanced budget since 1969. We can do all of this because of this picture.

Mr. KINGSTON. Does the gentleman plan to reintroduce a budget next year which will balance the budget by 1998-99?

Mr. NEUMANN. I believe that we should introduce a budget that is balanced in 1998, yes. I think it would be inexcusable for this body, short of some major change in the economy, to not get to a balanced budget by 1999 at the very latest. The revenues are there. Our spending growth has been curtailed. There is no reason in the world that we cannot hit a balanced budget.

We keep talking about this in Washington language, a balanced budget, and out there in the real world that does not always mean a lot. Let me translate it because Alan Greenspan did a great job of it today. He talked about the fact that if we could get to a balanced budget and actually go past that and start running surpluses so we start paying down the Federal debt, interest rates may drop another half to a full point, so we could see lower interest rates.

That means something to families. When they are making their home mortgage payment, if the interest rate is lower, they just keep more money in their own home instead of sending it out here to Washington. That is what this is about. It is about real people having the opportunity to be able to afford to buy the American dream, a home or a car of their choosing, because the interest rates have stayed low. And when the interest rates stay low, when people buy those houses and cars, others have to go to work.

We talked about welfare reform. We finally got welfare reform to a point where able-bodied welfare recipients are required to go back into the work force. If a person is capable of working in our society, they cannot stay on welfare all their life. There is child care available, there is health care help there, but they have to get a job if they are able to work in this society.

Mr. KINGSTON. The way I always explain it, we get a lot of criticism: Why are you trying to cut taxes? I say it is very fundamental. Middle class people have more of their money, more of their own money in their pocket because we in Washington confiscate less of it. Then what is going to happen is they are going to spend more. They will buy not necessarily a lot of glamorous things but lots and lots of very important things in the economic chain: more CDs, more socks, more pairs of shoes, hats, shirts, basketballs. When they do that, more jobs.

Mr. NEUMANN. More jobs here in America for our kids so they can have the opportunity to live the American dream.

Mr. KINGSTON. That is exactly right. Because what is going to happen, the local drug store and the sporting goods store, the local restaurant, local clothing store will all expand to meet the new demand because American consumers have \$300 or \$400 more disposable income in their pocket. And when they expand, they create those jobs. More people are working, less people are on welfare, more people are paying taxes and the revenues are going up. That is the situation that we are in.

Mr. NEUMANN. In the community I live in in Jaynesville, WI, we build Suburbans and Tahoes there. And we can see the direct result of this picture of the deficit coming down so the interest rates stay down low. People can afford to buy Suburbans and Tahoes. That is job security for our people.

It is a direct translation. Low interest rates mean people can afford to buy the Suburbans and the Tahoes. When they buy those, they can afford to make payments on it. When they buy those vehicles, that means our people in Jaynesville stay employed. That is what this is about. It is about job opportunities.

Mr. KINGSTON. Yet as we are discussing this, and with a lot of gleam, I

would say, to the degree that the deficit has fallen, the numbers are roughly about \$260 billion down to \$23 billion.

Mr. NEUMANN. Actually I have a chart here. I have one that actually shows where it was when we came.

Mr. KINGSTON. I think it is important. Let us show how much that deficit has fallen.

Mr. NEUMANN. When we came here, many of our colleagues tonight are playing basketball, so this is no pun intended. There is a good spirited basketball charity game going on out here tonight, but if we had all played basketball and not done our job, this shows what would have happened to the deficit.

This is the deficit stream that we inherited in 1995 when we came here. Remember 1993 was that big tax increase where they were going to try to get this under control. Even after that big tax increase, this is what we inherited in 1995 when I was first elected to office. The gentleman is right. It was going all the way up to \$350 billion, if we did not do something about it. This is our 12 months work. Our first year, 1995, our 12 months in office, we brought the projected deficit down to this yellow line.

But at the same time we laid this green line into place. And just like we had done before, we made a promise to the American people that we would get to a balanced budget. Only this group is very different. Before 1995, every time those promises were broke. But we made a promise, too. It is this green line on the chart. The blue line is what we are actually doing. I think it is so significant. We are now in the third year of a 7-year plan to balance the budget but instead of the broken promises before 1995, we are not only on track, we are ahead of schedule to the point where we will get it done next year.

Mr. KINGSTON. The gentleman has touched on a very important point. In between the blue line of where the money actually is and the green line of where the plan is, I am scared to death that even on a bipartisan basis we will rush out and spend the money. I always say this is like somebody who is on a six-month diet and finds out at the end of the second month that they are ahead of projections, so instead of finishing the diet, in three months they go out on an eating binge and eat lots of ice cream and cake to celebrate. Are we going to do that? Are we going to rush out and spend this money, or are we going to do the right thing and apply it to the national debt?

Mr. NEUMANN. The "rush out and spend it" part? Over my dead body. That really is the attitude of an awful lot of us out here in Washington right now. We have had it with those past practices of breaking the promises to the American people, and we have had

it with the 1993 concept of raising taxes.

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I do not know if the gentleman has had the opportunity to hear some of our colleagues here on the floor tonight before us. During the 5-minute portions this evening, they were talking about this big conference that will go on in Japan where they are going to tax our energy here in America but leave countries like China out from under this tax. And they are going to tax energy as much as 60 cents a gallon for gas. Has everyone forgotten what 1993 was like?

Mr. KINGSTON. If the gentleman will yield a second; also exempt China, Brazil, maybe India, and a couple of others.

Mr. NEUMANN. North Korea.
Mr. KINGSTON. North Korea. Major U.S. competitors will be exempt from this Clinton gas tax proposal. And why the administration thinks the time is right to increase the gas tax 20 to 40 cents a gallon—

Mr. NEUMANN. Sixty cents a gallon is what they are projecting under this proposal.

Mr. KINGSTON. Can my colleague imagine what that will do to the economy, to small businesses?

Mr. NEUMANN. What amazes me is that in 4 short years, the amount of time it has taken to turn this picture around, that we have actually curtailed, slowed the growth of Washington spending, we have had these changes from 1993, everyone has forgotten that in 1993 they raised virtually every tax they could think of.

We have gone through the tax cuts here and we have had a good time talking about finally how we are going to leave more money in the pockets of the people. It is not a gift from us, it is their money. We finally had a good time talking about the fact that taxes are coming down for the first time in 16 years. Has everyone forgotten 1993?

The discussion was a Btu tax; 4.3 cents a gallon gasoline tax. They did not spend the money to build better roads, they just spent it on other Washington programs; a 2.5-cent a gallon extension of another gas tax, and for senior citizens, the Social Security tax rates from 50 to 85 percent. I cannot even get done with all the tax increases they did.

Mr. KINGSTON. It is interesting because some of our colleagues right now are really pushing a Federal takeover of local school construction. They want the Federal Government to go in and build school systems.

Now, as the gentleman knows, bricks and mortar has always been the domain of local school boards. And school boards in local communities that have been responsible and have kept up with it, do not have the problem.

But what is also interesting about this debate, this urge to go out and

spend the money that some of our liberal colleagues have, is that when the gentleman and I talk about education, when the gentleman and I talk about the strengths of education, when the gentleman and I reflect back on our own educational history, we do not talk about, hey, I went to this beautiful school; it was three stories tall, and the bricks were so wonderful and the glass windowpanes were so special and the light sockets were just out of this world. We do not talk about that. We talk about, hey, I had Miss. Jones, I had Miss. Reynolds, and I had Miss. Musey, and I had Miss. Smith, and they were great teachers and they made a difference in my life. And not one of them would have been any different in a different building.

Our children need to be in decent buildings, but the big problem in education today is we need to put money into the teacher in the classroom, not into the bureaucracy in Washington that is going to dole out on a political basis bricks and mortars and make-work projects for educational bureaucrats. It is ridiculous. Let us give the money to the kids in the classroom and the teachers.

Mr. NEUMANN. That is really the fallacy of this whole thing. What would lead anyone to believe that this Government, Washington, can reach into the pockets of the American people. This money is not manna from heaven. This money has to come from somewhere. So we will reach into pockets of the working families in America, the working people in America, and they will bring the money to Washington. They will pay hundreds of bureaucrats to decide how to spend the money, and then they will send 35 or 40 or 50, or whatever number they happen to get to in this particular case, back to build new schools. And they will pat themselves on the back because they collected \$1 from the taxpayers and sent whatever the number is, 50 cents, if we are in a good day, back to build new schools with.

First off, why should Washington reach into the pockets of the people in Janesville, WI, bring the money out here to Washington and then Washington make a decision about who gets a new school? Why should that not be the responsibility of the parents and the teachers and the community to make those decisions? That is what it is all about.

Mr. KINGSTON. Can the gentleman imagine a Washington IRS-type bureaucracy building local schools? I know to some liberals that is a great deal.

It is interesting, as a matter of fact. Here is a copy of the Washington Times as of last Tuesday where the President opposes citizen oversight of the IRS. I mean is this the national Democratic Party now that has come down to supporting the IRS and the fact that many

folks back home think it is time to overhaul the tax system, overhaul the IRS, to stop some of the harassment of our citizens and the President and the Democrats are defending the IRS?

It does not make any sense at all. I do not want an IRS-type bureaucracy to run the local school construction projects.

Mr. NEUMANN. I think it is important that folks know that, in addition to getting the budget balanced for the first time since 1969, taxes coming down for the first time in 16 years, restoring Medicare for our senior citizens, what is next on the horizon is a bill that has been introduced that would literally sunset the entire IRS Code. We would literally sunset the entire thing in the year 2001. And what that would effectively do is force us to come up with a new, fairer, simpler tax system.

When I describe this to folks in our town hall meetings, this is the one thing that absolutely brings an across-the-board cheer because everyone hates the complexity of the Tax Code.

Mr. KINGSTON. If the gentleman will yield. I thought we were together, on a bipartisan basis, on the IRS reform. I had no idea that the administration was going to defend the IRS and try to make tax reform a partisan issue.

But I will say this. If it is a partisan issue, the Republican Party is going to be on the side of the American taxpayer for simplicity and clarity, and let the President defend his 111,000 IRS employees.

Mr. NEUMANN. Would the gentleman hold that chart up. I had not seen that before and I would very much appreciate seeing it. The White House is now championing the IRS.

Mr. KINGSTON. This is not Republican propaganda. This is an actual newspaper headline. The Washington Times, a well-respected newspaper. The headline of it, Tuesday, September 30, 1997, "White House Champions The IRS. President opposes citizen oversight."

I will read the gentleman the first paragraph. "The White House yesterday came to the defense of the embattled IRS, vowing to vigorously oppose congressional efforts to create a citizen oversight board to protect Americans from agency abuses."

Mr. NEUMANN. There are a few things, I guess, that we really do think an awful lot different between the President and ourselves. He did sign the budget deal, and he did sign the bills that lowered our taxes and that stuff but, my goodness gracious, there is a huge difference of opinion in supporting the IRS or thinking we should come up with a new Tax Code, something simpler, something easier, fairer for our people, something they could actually fill out themselves instead of going to an accountant every year.

I see the gentleman from Minnesota has joined us.

Mr. GUTKNECHT. I thank the gentleman for yielding. I saw the gentleman here on the floor and he was talking earlier about the budget. I do not know if the gentleman had a chance to talk a little bit about it. The gentleman from Wisconsin and myself both serve on the Committee on the Budget, and I know the gentleman from Georgia has been interested in the budget, but I think sometimes we need to remind people how well we are actually doing.

I do not know if the gentleman shared this number with the folks who may be watching us in their offices, but when we passed our original 7-year balanced budget plan, we said that in fiscal year 1996 we would spend \$1586 billion. Does anybody know how much we actually spent in fiscal year 1996? The answer is \$1560 billion.

Mr. NEUMANN. Say that again real slow so we get that.

Mr. GUTKNECHT. We said we were going to spend \$1586 billion, but this Congress actually spent \$1560 billion.

Mr. NEUMANN. So we spent less money than what we said we were going to spend. Washington actually spent less money than what we originally said we were going to.

Mr. GUTKNECHT. The Republican Congress spent \$26 billion less than we said we were going to spend.

But that is just part of the good news. That at a time when revenues actually increased by \$20 billion more than we expected. Now, that is good news. I guess the problem with the media seldom does good news make the news.

But if I can share what happened in 1997, because the news gets even better, and I think a lot of people have said, well, there really is not much difference, but let me give one other quick number. In fiscal year 1997, going back to our original 7-year balanced budget plan, we said we were going to spend in fiscal year 1997, \$1624 billion. We actually spent, and, in fact, it may actually, when the final books are closed October 1st, and we do not have the final numbers yet, but the preliminary numbers of the Congressional Budget Office said we would spend \$1612 billion.

Mr. NEUMANN. If the gentleman will yield, it is down to 1602. The most current numbers, we just got them yesterday, as a matter of fact. I apologize for not getting them out yet. It is down to 1602. So we are now \$22 billion under. This is less Washington spending than what we promised.

When I tell folks this, they absolutely do not believe it until I actually show it to them. It is there in the budget. I challenge any of our colleagues to go back to the budget resolution, check out what we promised we were going to spend not more than and

find out that when he actually spent less than what was in the original plan.

Mr. GUTKNECHT. So if the gentleman's numbers are correct, in fiscal year 1997, we took in over \$110 billion more than we expected and we spent over \$22 billion less.

Now, here is the question. Here is the question for anybody who happens to be listening to this, for any Member of Congress. Does anybody really believe that Congress would have actually hit its spending targets, in fact gone below its spending target, at a time when revenue increased by more than \$100 billion? Does anybody really believe we would have spent less if the other party still controlled Congress?

Mr. NEUMANN. The first night when I found these numbers, I called my wife and said, "You are not even going to believe this. I found out that, when we go back to our 1995 promises, we had over \$100 billion more revenue coming in and we actually spent less money." She said to me, "Someone is giving you bad numbers." So my wife would not even believe it at first.

I have gone through these numbers time and time again. I challenge each and every one of my colleagues to take the time, sit down and look at these numbers, and really understand just how far we have come as a Nation when we could have over \$100 billion extra revenue come in and spend less money. Because what this really means is that we borrowed less money on our children and our grandchildren's backs, and that is what this is about.

Mr. KINGSTON. If the gentleman will yield. Regardless of the deficit reduction and potentially balancing the budget next year, we still spend about \$300 billion a year on interest on the \$5.4 trillion national debt. Now, that is the second or third largest single item on the entire budget every year.

That is money that could be in the pockets of the American families, the moms and dads out there for their children, or it is money that could go to other projects, education, health care and so forth. But we only begin the job when we balance the budget. And the fear that I have is that because the revenue is so much higher than projected, what is going to happen is we will have a lot of liberals coming out there with new spending programs.

We are already hearing it on let us go out and build a new Federal school program. And I am scared to death we will go back down the donnybrook we were in in 1993 and 1994.

Mr. NEUMANN. That is exactly why it is so important that folks understand that even after we get to a balanced budget we still have a \$5.3 trillion debt that an average family of five sends \$580 a month just to pay the interest on the debt.

That is what we are doing today. And even after we have a balanced budget, that debt goes on. And that is why it is

important that we have introduced legislation to deal with that.

Mr. GUTKNECHT. I know that this chart is too small for people to see, but if people want to contact my office, I will certainly be happy to send them a copy, but it says that for the last 20 years, the 20 years from 1975 until 1995, on average, for every dollar that Congress took in it spent \$1.21. For fiscal year 1997 that number will be less than \$1.02.

So when people say we are not making a difference, we are actually spending less than our original spending targets at a time when revenues are exceeding our wildest expectations. And I think the real good news, and the gentleman from Georgia is correct, balancing the budget is not just an accounting exercise. Sometimes we have to even remind people on the Committee on the Budget. It really is about what kind of a future are we going to leave to our kids. It is about generational fairness.

For a long time those of us out in the Midwest, and I do not know if the gentleman has the same kind of feeling, I suspect he does in rural parts of Georgia, but the American dream, to a large degree, was to pay off the mortgage and leave the kids the farm. What Congress had been doing for so many years is we had literally been selling off the farm in small pieces and leaving our kids the mortgage. We all know that is morally wrong. And we were going to consign them to a lower standard of living.

So balancing the budget is good. I believe we will do it next year. And that is just a start. We have a long ways to go. But it is really about leaving our kids a better future.

Mr. NEUMANN. Reclaiming my time, I think the gentleman hit the nail right on the head. What a lot of families do is pay off their mortgage and hope to leave their children and grandchildren something other than a mortgage to be paying off.

We have introduced legislation, I know that both gentlemen are cosponsors, so we are doing this together, that would literally put the United States of America on a mortgage repayment plan of that \$5.3 trillion debt. Would it not be nice to think that we could actually pay down that debt, much the same as a homeowner pays off their home mortgage?

Mr. KINGSTON. I want to say something else, if the gentleman will yield, that ties into this. This week, for the first time in history, the United States President used the line item veto and zapped out about, I think something like 160 different projects for nearly \$200 million in savings.

Now, those included Republican projects. Those included Democrat projects. Those included some from just about every State in the country. But that is what we had in mind with

the line item veto. And I think it is good that if I put a project in the budget that it gets that extra scrutiny. I like the idea that it has to get through a House committee, then through the full House, then a Senate committee, then the full Senate, and now it is to the President of the United States. Because the more scrutiny we put our spending under, the better fiscal House we will have.

And with that in mind, if we think about what we could potentially do with this line item veto to get to that last \$23 billion, I urge the President to keep using it and make sure that we, as Republicans, are responsible, and that our Democrat colleagues are responsible for what we put in the budget.

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Mr. NEUMANN. I have to tell my colleagues about my dream when we talk about this, because this is my dream for my own personal future. My wife dreams about going to Hawaii, and I think that is a wonderful dream, too.

But my dream is, I wake up some morning and I get a phone call, and the phone is sitting right by my bed, and it is the President of the United States. And I do not care if it is a Democrat President or Republican President. But he says, "Mark, we are going to balance the budget. I am giving you the veto pen. So get over here, line-item enough junk out of this budget that is wasteful Washington spending, get the budget balanced, here is the pen." That is my dream in life, is that some morning I wake up and the President says, "Mark, you've got the line-item veto. Get over here and do it."

I cannot agree with my colleague more. I was one of the original cosponsors on line-item veto. And I would hope that the President does use it more, not less.

Mr. KINGSTON. If the gentleman will yield, I do want to say one thing to keep in mind. The line-item veto only applies for deficit reduction. So if, in fact, the deficit is zeroed out next year and the budget is balanced, which we all hope that it is, we will effectively not have a line-item veto.

The gentleman from Michigan [Mr. UPTON] has sponsored legislation which I have cosponsored, and my colleagues probably should look at it if they have not, that says, even if there is no deficit, the President would still have a line-item veto for the purpose of continuing to ferret out wasteful spending.

Mr. NEUMANN. I think that it is important that he keep in mind that even when we have no deficit, a "Washington balanced budget," that we are still using that money out of the Social Security Trust Fund. And we need to address that problem.

What we have introduced is the National Debt Repayment Act. What happens in the National Debt Repayment

Act is, after we get to a balanced budget, we cap the growth of Washington spending at a rate at least 1 percent lower than the rate of revenue growth.

I brought a picture to show what happens. The red line shows spending going up, and too fast probably for the three of us, but spending going up, but at a slower rate than the revenue line.

Mr. GUTKNECHT. If the gentleman would yield, I think his assumptions are that we would still increase Federal spending at faster than the inflation rate.

Mr. NEUMANN. This is correct.

Mr. GUTKNECHT. So we are not talking about draconian cuts in any Federal spending.

Mr. NEUMANN. Absolutely not. And I think my colleague and I would probably not do that. We would not want it to increase faster than the rate of inflation for sure. But even if it goes up faster, it has got to go up slower than the rate of revenue growth.

By doing so, we create this middle area here. That is the surplus. We take one-third of the surplus and supply additional tax cuts. And Alan Greenspan today said, as we are going through this process, the interest rates will come down, and that will promote a stronger economy. And he suggested if we are going to do tax cuts, that we make them across the board, reduce the marginal rate kind of thing. And I think he is right there.

The other two-thirds of this surplus, we start making mortgage payments on the Federal debt. When we pay off the Federal debt, the money that has been taken out of the Social Security Trust Fund would be returned, because that Social Security Trust Fund money is all part of the Federal debt.

So under this plan, three things happen. First, the senior citizens who are worried about their Social Security can rest assured that Social Security would be restored. As we are paying off the debt, the money taken out of Social Security would be put back. Second, the people in the work force today would be entitled to additional tax cuts each and every year as far as the eye can see. And third, and I would say, to me, most important of all, we can look forward to paying off the mortgage, as my colleague suggested earlier, and passing this great Nation of ours on to our children debt free instead of giving them a legacy of a \$5.3 trillion debt.

That is what this bill is about. I think it is the right thing. I know my colleagues are both cosponsors on it. We are working very hard to get it to the floor of the House. I am optimistic that between the senior citizens who want their Social Security restored and care an awful lot about the future of this country, the people in the work force who would prefer to pay less taxes and not more taxes, and, most important, all of us who care about the future and what kind of a country we

give our kids, that we would bring this to the floor and pass the bill.

Mr. GUTKNECHT. If the gentleman would continue to yield, I have explained this program at town hall meetings in speeches around my State district. And almost everywhere, in fact everywhere, we get almost unanimous support for this plan. It is common sense. I think it is what the American people want.

As I said earlier, it really is the American dream: Pay off the mortgage, leave your kids the farm. That is what we want to do for the next generation of Americans.

Mr. KINGSTON. One thing I would like to see discussion on, instead of just straight more tax relief, perhaps move towards tax simplification, with the intent of accelerating the debt pay-down, because if we can do it this way in the year 2026, if we just change taxes to make it simple, I believe many, many people in America, given the choice of reducing their tax rate 5 percent versus going to a flat tax or a consumption tax, they would probably say, give me this tax simplification, because the extra money I am having to pay my accountant and lawyer to file my taxes is a tax anyhow. So just give me tax simplification.

I am very proud that the Republican party has taken the initiative on that. I am proud that the gentleman from Texas [Mr. ARMEY] and the gentleman from Louisiana [Mr. TAUZIN] are going to be going around the country having debates on consumption versus flat taxes.

I have not fully decided which route we should go in terms of the folks back home, but I welcome the dialogue in the debate.

Mr. GUTKNECHT. If the gentleman would continue to yield, I want to make it real clear, they are not mutually exclusive. We can balance the budget, we can actually pay off the debt, and we can simplify the Tax Code all at once. All it requires is the kind of discipline we have demonstrated for the last 3 years.

I think the gentleman from Wisconsin [Mr. NEUMANN] is putting up a chart now. We have to continually reduce the rate of growth in Federal spending. We have literally cut it almost in half in terms of the real rate of growth, inflation-adjusted dollars, almost any way we want to measure it.

And as the numbers I indicated before, in fiscal year 1997, Congress took in over \$110 billion more than we expected but we spent \$20 billion less. It is that kind of discipline that will allow us to balance the budget, pay off the national debt, and simplify the Tax Code so that the average American can understand it.

Mr. NEUMANN. Reclaiming my time, concluding tonight, isn't it exciting to be here having this conversation? How different it is currently than it was in

1993 when they were debating which taxes we had to raise and how high we had to raise them because, after all, we could not reel in Washington spending.

That was 1993, broken promises of a balanced budget and higher taxes. But in our first 3 years here, we have literally slowed the growth of Washington spending. We did not reach into the pockets of the American people and take out more taxes to balance the budget. We slowed the growth rate of Washington spending.

By slowing the growth rate of Washington spending, we are now in a position where we are not only going to balance the budget 3 or 4 years ahead of our promised schedule, but we are also lowering taxes on families and workers all across America. Senior citizens, middle-age folks, union members, all Americans are going to benefit from the tax cut packages. Isn't it exciting to be here having this conversation? What a changed America.

Again, I think we should point out the discussions that are starting at the other end of Pennsylvania Avenue again. When they are talking about tax increases, it is almost like they forgot 1993. We are not going to let that happen. We have got a different vision for the future.

What is next? Next is, we abolish the IRS Code 3 or 4 years from now so we have time to replace it with something that is simpler, fairer, easier for our people to understand. We are going to put the Nation on a mortgage repayment plan so that we pay off the Federal debt by the year 2026, or sooner, so we can give this Nation to our children debt-free. As we are paying off the debt, we restore the Social Security Trust Fund. And, of course, we are going to continue to lower taxes on the working folks in America.

People say we cannot do all those things. Three years ago they said we could not do all these things either. If we just realized that people in America can do a better job spending their own money than the people out here in Washington can do spending it for them, that is what this is all about. Slow the growth of Washington spending programs. Keep the absolutely necessary programs, but slow the growth of Washington spending so people can keep more of their own money. We can do the right thing, start making payments on the debt, restore the Social Security Trust Fund, and come up with a new, simpler Tax Code.

It is exciting to think about what possibilities lay in front of us, how far we have come, and how far we still can go to make this a better Nation for our children and grandchildren.

Mr. KINGSTON. Dwight Eisenhower said that, "Once the American people have made up their mind to do something, there is little that can be done to stop them." I agree with that. I think the American people have made

up their mind. Congress has to keep their own feet to the fire.

EARLY CHILDHOOD DEVELOPMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Massachusetts [Mr. MCGOVERN] is recognized for 60 minutes as the designee of the minority leader.

Mr. MCGOVERN. Mr. Speaker, we in the Congress are charged with the task of finding the best course for our Nation, and the debate on this floor is the compass with which we chart that course.

None of the issues debated in this Chamber has an easy answer, and very often agreement does not guarantee an immediate solution. President Clinton, during his State of the Union address in January, called upon us to act on behalf of children, saying that politics should stop at the schoolhouse door.

Well, I certainly agree. I would add to the President's sentiment by declaring that that effort to improve the climate of learning and development for our children must start long before our children ever reach the schoolhouse door. Partisan politics should play no role in the development of our children. Politics should stop at the foot of the crib.

Newspapers across the Nation have highlighted new scientific findings in the field of early childhood development. For years, conventional wisdom taught us that if a child was intelligent, she must have been born intelligent. But, as an April 28 editorial in the New York Times so appropriately stated, "After birth, experience counts even more than genetics."

Talking to our children from birth, holding and playing with newborns, and even looking them in the eye during play can have a profound impact on the development of their intellect, making them better students and making them more confident and productive members of society. These early years are critically important to our children's full and healthy development.

That is why we must invest more time, more study, and more resources in our efforts to promote a healthy start to life for our kids. Getting this message out to the public today will play a key role in our Nation's ability to compete in the global economy of the future.

Imagine, a child's ability to relate to others is a permanent part of a child's personality by the age of 2, and the brain connections needed for math and logic are formed by the age of 4. Who would have thought that so much about our kids' future and social, academic performance would be determined by such an early age? But yet, it is.

When I visit with people in my district of Massachusetts, parents and

child-care providers did not miss these news stories. The people in my district care deeply about this issue. Let me give my colleagues just one example.

Over the past several months, a working group of parents, child-care providers, education specialists, and medical personnel have developed a parent and provider survey under the auspices of the Central Massachusetts United Way "Success-by-Six" program. The survey is an effort to gather information about conditions affecting young children and their families in the Greater Worcester area. The survey seeks to discover what is working well, what the strengths in the community are, and how things can be better.

The overwhelming response to the survey thus far has resulted in a need for second printing, and the response from both parents and providers who have mailed in responses to the survey has been a phenomenal 50 percent.

Parents from central Massachusetts are no different from parents all across the Nation. And do parents across America think we are doing enough? Well, according to a Newsweek poll, over half of our Nation's parents do not believe that the Government and business policies adequately support families with very young children.

Mr. Speaker, the studies that I have mentioned regarding early childhood development indicate that environmental factors affect children's intelligence and healthy development much more than we have ever believed. These environmental factors are largely under our control. I repeat, these environmental factors are largely under our control.

I strongly believe that we cannot look at these findings and simply do nothing. The issue here is children, children all across the Nation, who need more than we have given them to date. The debate here in this House should be how best we can help our children or families in our Nation.

Let us look at the facts. In the United States, over five million of our youngest children are cared for by other adults while their parents work. According to a 1995 national study conducted by the University of Colorado Economics Department, many of the child-care centers to which we entrust our children are unlicensed, staffed by poorly-paid adults, and over 90 percent of these facilities lack adequate services to respond to the developmental needs of each child in their care. About half of these facilities actually provide care that is deemed unhealthy for our Nation's children.

In some of America's poorest neighborhoods, some 70 percent of children have difficulty with simple communication. This deficiency can be directly attributed to poor nutrition, a lack of health education, and inadequate personal care.

Nobel Laureate economist Robert Solow estimated that the cost of child

poverty to the United States is as high as \$177 billion per year. I would argue that the cost of the most basic principles of our society is far higher if we ignore the basic needs of our youngest children.

The suffering is felt in economic as well as human terms. I have met with business owners who tell me that finding people equipped with the necessary skills to compete in today's economy is increasingly difficult. Without giving our kids the help they need at an early age, it will get no easier.

Mr. Speaker, the child poverty rate here in the United States is among the highest in the developed world.

□ 1945

According to the General Accounting Office, studies estimate that of the approximately 100,000 American children who are homeless, nearly half are under the age of 6 years old. These children will not be on an even footing developmentally and they are likely to lag behind their peers for the rest of their lives.

No resident of Westport, MA, which is in my district, would sail the waters of Buzzard's Bay with an anchor dragging behind their boat. Neither can we allow our children to hang off the stern of this Nation. We have work to do, we have much more work to do. Parents want us to address these issues now and the call to action could not be more clear.

I am proud to have joined with my distinguished colleagues in this House, the gentlewoman from Connecticut [Ms. DELAURO] and the gentleman from Maryland [Mr. HOYER] in introducing a bill to address the issues of early childhood development. Our legislation provides greater funding like Head Start and Early Start and various family support services. Our bill also offers State competitive grants to identify and reward those early childhood programs that are working today, that are working.

We are reaching across the aisle to address the needs of children, and I hope that this call will be answered by my colleagues on the other side of the aisle. Let us enter into the debate on this issue and make early childhood development a national priority today.

Mr. Speaker, I would just like to add that we should also applaud the interest and the leadership that the President of the United States and the First Lady have demonstrated on this issue. On October 23 there will be a White House Conference on Child Care similar to the one held earlier this spring on early childhood development. I would urge the President to continue his leadership, to continue his interest on this issue, and I would further urge that these issues be the centerpiece of his State of the Union Address and of his agenda next year.

At this point, Mr. Speaker, I would like to yield to my colleague from New

Jersey [Mr. PALLONE] who has been a strong advocate for early childhood development issues and all other education issues.

Mr. PALLONE. Mr. Speaker, first of all, I want to thank the gentleman for leading this special order tonight, because as he mentioned, the topic is early childhood development, but this is really part of the overall Democratic education agenda. As Democrats, we as a party from the very beginning of this Congress, and even before this Congress, have said that it is important that we prioritize education.

I know our colleagues before were talking about the budget, and the gentleman and I and my colleague here from Maine and others were all very insistent that during that balanced budget debate, that education, primarily higher education, be prioritized. We managed to basically tell the Republicans on the other side that if they did not put in programs so that there would be more money available for higher education, we would not agree to the budget, the proposal that they put forward.

Mr. MCGOVERN. Mr. Speaker, I would just say, I wish our colleagues on the other side of the aisle would appreciate that one of the ways to save money, one of the ways to keep the budget in balance and to have a healthy economy is by investing in our children, by investing in education, beginning at age zero.

We had to fight tooth and nail, as the gentleman knows, to get them to agree to modest concessions on education and the budget. What good there is in this budget on education is due to the efforts of the Democrats, and I would like to point that out to my colleagues on the Republican side of the aisle.

Mr. PALLONE. Mr. Speaker, there is no question about that. Not to keep being partisan, because I do not want to just say bad things about our Republican colleagues, but the bottom line is that the Republican leadership in the last few years has repeatedly tried to cut back or even eliminate some of the education programs that impact the secondary schools, impact the kindergarten-through-12 grade level.

For example, Goals 2000, which provides a small amount of money to local school districts to try innovative programs in the public schools, they have repeatedly said that they did not want to fund any more. But tonight, as part of this education agenda, we are stressing early childhood development.

I know that the gentleman from Massachusetts [Mr. ALLEN] has been a leader. The bill that he mentioned, the Early Learning and Opportunity Act, is a tremendous piece of legislation, and if we do manage to get it passed in this Republican Congress, I think it will go far towards helping basically low-income families, primarily, but a lot of people, get an early start in teaching

their children to read, speak and interact with others. It basically dovetails with the existing Head Start program, but starts the kids at an earlier age.

Head Start, from what I understand right now, is strictly above 3 years old. There is the Early Start program that the gentleman mentioned which deals with kids under 3, but that is a very small program. I think the statistics show that Early Start impacts or enrolls less than 2 percent of the eligible kids, whereas Head Start reaches about half of the eligible kids. So both programs need to be expanded, but the gentleman is zeroing in on the zero-to-3.

I just wanted to say from my own experience, right now I have a 4-year-old, a 2½-year-old, and a baby that was just born 10 days ago, my daughter, Celeste.

Mr. MCGOVERN. Congratulations.

Mr. PALLONE. I thank the gentleman.

I listened to what the gentleman said, and I have watched this amazing development with the 3 children, in Celeste's case, only 10 days now, and what the gentleman said is true. I feel bad because I am not always there and my wife has to do the interaction most of the time, because we are down here in Washington and they are back in New Jersey. But it is amazing how they begin to learn from the very beginning, and the environmental factors are so important.

I watch my wife, who just insists on reading to them and having books around all the time, and stressing the importance of learning the alphabet and watching programs on TV that provide instruction in pre-reading skills, and it is just so crucial. We can just see that they are absorbing everything every day, and if they are not constantly involved in some way in an effort to learn, they will not learn as quickly.

So that really has brought home to me the value of what we are trying to do by expanding Head Start to reach out to children from zero to 3. I think it is so crucial. It is just one of the most important things we can do in terms of investing in education, and in the long term providing children as they are growing up with a really good start, so to speak, so that they learn and they can become valuable members of society.

I have a lot more to say about the gentleman's bill, but there are other Members here, and maybe I can defer to them and come back to some of the other things that I wanted to point out.

Mr. MCGOVERN. I yield at this point to the gentleman from Maine [Mr. ALLEN], my distinguished colleague who has also been a champion on these issues and on all education issues.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding. I want to thank the gentleman for the bill that

the gentleman and the gentlewoman from Connecticut [Ms. DELAUNO] have put forward. I am proud to be a cosponsor of that bill.

I would like to talk a little bit about the science. What the gentleman from New Jersey [Mr. PALLONE] was just saying about his child and what he is seeing in a baby that is only now a few days old, we know a lot more about the brain of infants than we ever did before.

About 15 years ago, neuro scientists assumed that brain structure was genetically determined at birth. They did not recognize how important a child's early years are and how the experiences of those early years have an effect on the brain itself, and how important environmental conditions are, such as nourishment, care, surroundings and stimulation.

The impact of the environment is particularly compelling and it affects how the brain is wired. To explain that, during the first 3 years of life the number of synapses in the brain increase rapidly, all of these connections between different parts of the brain. But then the number of those synapses holds steady through the first decade of life, and those that are not used decline and atrophy and basically disappear. So the formation of neuro pathways in the brain is directly related to the quality of care that young children receive.

I went to the White House Conference on Early Childhood Development a few months ago, and one of the speakers said quality child care is brain food. The fact is that too many of our young people today are not being fed enough brain food, and in fact, for too many working parents in this country, the cost of quality child care is really not affordable. It is too high for many of them, and we need to do more than we have.

I want to connect that research with some of the stories that I am hearing back in Maine. When I go and talk to superintendents or teachers right now, they are telling me that when kids come to them in kindergarten, there are now an increasing number who seem unable to sit still. They will spit at their classmates, they will fight with their classmates. They are really not ready for school because they are not able to interact productively with other kids in that kind of session.

What they are saying is, we need to do something about these kids, because most kids have good parents, most kids get a decent start in life, but there are some, some really who do not.

It points out the need as a matter of Federal policy, as a matter of State policy, as a matter of policy for every school board that we look to what happens before kids come to school. In Bath, ME, there is a program called Success By Age Six, and part of that

program involves home visits, prenatal, postnatal, the kind of encouragement for parents, the kind of help for parents so that they can be productive in stimulating their children, helping them develop the skills that they will need to get along with adults, to get along with other kids, to start to have the ability and interest in learning to read or start to have the ability and interest in learning mathematical concepts.

When we think about our children, when we think about the kind of stimulation they need in those early years, we need a set of Federal, State and local policies that makes sense, that reflects what we know in terms of science and what we know in terms of our own common sense, what we are hearing around the country. I think that is the direction we need to go in.

Mr. MCGOVERN. Mr. Speaker, I would just say to the gentleman that he is right on target when he says the science exists, the science is there. We know how important those early years are.

The White House conference that occurred earlier this year highlighted how important those early years are, those years, zero to 3, and yet this Congress right now is not doing nearly enough to help complement that science.

We are trying very desperately to get Republican support for the bill that the gentlewoman from Connecticut [Ms. DELAURO] and I have introduced. We are trying to build a bipartisan consensus here that more Federal resources need to go into helping States, for example, support innovative programs that help early childhood development, that help promote child health care. Those things are vitally important, and yet it is a constant struggle to try to get that bipartisan support.

Again, I wish my colleagues were still here. They talk very passionately about numbers. They talk very passionately in a very sterile way about numbers, but I would suggest to them, as I said earlier, that investing in our children, investing in these programs that help our children develop into healthy adults and into productive adults is a wise and important investment that will save this country tons of money in the future.

Mr. ALLEN. Mr. Speaker, an earlier speaker on the other side said that he had a dream, and that his dream was that the President called him and he was given an authority to exercise the line-item veto.

Well, I have a dream as well. I think we on this side of the aisle, we as Democrats have a dream as well, and it is to leave no child behind, and that what we need to do as a country is recognize that the Cold War is over. We have balanced the Federal budget. We look out ahead for the next 10 years and we see a Federal budget that is

close to balance, either a modest surplus or a modest deficit for 10 years.

It is time for people in this country to say that the great mission, the great challenge that we have as a country in the next 10 years is to leave no child behind, to make sure that children in this country have adequate health care, a solid education; that they are prepared before they ever get to kindergarten with the appropriate child care and the kind of stimulation they need, and that we are going to make this country strong for our children. If we do that, I think our prospects for the next century are very, very bright indeed, but we need the national will.

Rob Reiner, who has been a leader in promoting child care, quality, affordable child care, has said what is missing today is that we do not have the national will to treat this problem with the seriousness that it deserves. I believe on this side of the aisle we are determined to do that, and I look forward to working with all of my colleagues on that.

□ 2000

Mr. MCGOVERN. I just wish my colleagues on the other side of the aisle had the passion with regard to children that they do about B-2 bombers. The fact of the matter is that we should be able to, in a bipartisan way, be able to come together and to support these kinds of programs that help our children develop into healthy adults.

I yield to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I do not mean to keep using my own experience, but I cannot help it. When I listen to my colleague, the gentleman from Maine, talk about the interaction, he pointed out how it is important for kids at that age not only to interact with their parents, but even to interact with other kids.

One of the things that I notice with my son, who is 2½ now, is how much he has learned from just interaction with his older sister, who is 4. And she did not have that advantage because she was by herself. She was not able to have somebody who was teaching her. But it is just constant.

She will pick up a book and she will say, can we read? And neither one of them can read, but they sit there and try to make up the stories as they look at the pictures, and just the advantages that some kids have. Obviously we can buy them the videotape and they will learn something from the videotape. We have books we can provide them.

If a kid is at home and does not have the books and the opportunity, maybe if they go and spend some time in child care, where there is someone who provides them with the educational materials and has other children there who will interact with them, it makes such a difference. I can just see it myself. I

just want to stress that, because it is really crucial.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentlewoman from Connecticut [Ms. ROSA DELAURO], who has been a leader on this whole issue to promote early childhood development legislation here in the House.

Ms. DELAURO. Mr. Speaker, I want to thank my colleagues. I am delighted to join with them. I am really excited about this piece of legislation, and about introducing it along with my colleague, the gentleman from Massachusetts [Mr. MCGOVERN], and with my two colleagues here, the gentleman from Maine [Mr. ALLEN] and the gentleman from New Jersey [Mr. PALLONE], who are aboard this very exciting effort.

Mr. Speaker, it is trite, but these are exciting times with what the science has uncovered. Think back to your own childhood. I can remember my father used to read to me all the time. It got so sometimes you are tired, and you figure you skip some of the pages because you are tired, and you want your son or daughter to go to sleep. But he would tell me later on that I would just trip him up. He would start to leave something out, and I would say, oh, you missed that piece, or something like that. But that is the kind of thing.

When the gentleman said he hated to bring it back to his own experience, that is what the experience needs to be about. When we take a look, I think the science is so exciting, not for the science itself but for what it translates into, and what we are able to do. We are given a wonderful opportunity here to do something with this.

Before age 3, the brain has the ability to learn and organize new information 10,000 times more effectively than the brain of a 50-year-old. This is these little, teeny people. They have all of this capacity, and the kinds of experiences that affect the brain.

I think it is important for parents to know this, for grandparents, for child care providers, for public officials, that when children under a year old experience severe stress, that is whether they are hurt or whether they have a fear or something, or whether they are hungry, that the brain changes, the brain changes. You have what they say, and I am not a scientist. I do not know if some of my colleagues are scientists. But the way the neurons are patterned and so forth, some are used more and some are used less, so the physical surroundings that a child has can often explain the later link, if you will, to some of the problems that we have today like school failure, juvenile delinquency, antisocial behavior.

I think it is important for us to realize that, again, in terms of our own obligation as elected officials, one-third of America's victims of child abuse are babies under 1-year-old. That is not only the problem for today, that is the problem in the future.

Mr. ALLEN. Mr. Speaker, I want to raise a fascinating study that I heard about a couple of weeks ago in Sacramento County, California. The study period looked at all of those 9- to 12-year-olds who had been arrested for a crime.

During the study period there were 132 9- to 12-year-olds who were arrested for a crime. It turned out that exactly one-half, 66 of those children, were already known to the California Department of Human Services as being alleged victims of abuse or neglect, and half of them were not known to the department. That is very interesting, because in Sacramento County at that time there were 1,100 children between the ages of 9 and 12 who were known to the Department of Human Services as being victims of abuse or neglect. There were 73,900 other children who were not so known.

So if we think about the likelihood that someone who has been a victim of abuse or neglect will commit a crime, it is not double or triple or ten times or 20 times or 50 times. On the basis of that study, you are 67 times more likely to commit a crime between the ages of 9 and 12 than a child who is not a victim of abuse or neglect.

Every conservative, every person who believes we have to conserve our public money, ought to support investment in children, because dollars put into taking care and improving the lot of kids who are victims of abuse or neglect will pay off a thousandfold down the road.

Ms. DELAURO. The opposite pole is if babies do have trusting and reliable relationships, and that is with parents, grandparents, and caregivers, because we know today that men and women are in the workplace. Families cannot afford to stay home all of the time with their children. So we want to make sure that when they have day care, that needs to be sound and solid, where parents can trust the quality of that day care, the quality of the individuals who are providing that care.

The one thing that really, excuse me, just blows my mind is that while babies have an enormous capacity to learn, as I understand it, if it is not used, it is not that you can draw on the reserve and use it at another time. It goes away. It is gone. It loses the ability.

They have studies in animals, for instance, that if their eyes are covered right after birth, the brain then loses the ability to deal with visual information. So just to sum that up, with the brain, you either use it or you lose it. That is why, given the information, what we do not want to do with this information is put it on a shelf.

Mr. PALLONE. If I could just interrupt for a moment, one of the things that I often notice with little kids, and I do not know how young we can go, but obviously very small kids, is if the

parents are bilingual, or if they know one, two, three or more languages, that the kids very easily go back and forth between the languages. Yet if you go a few years later, you cannot learn the language. It is much harder.

Is that basically the explanation for that?

Ms. DELAURO. It is, because you are not using, and again, I am not a scientist, but you are not using the part of the brain that differentiates those sounds. So children can learn languages, they learn languages easier at a much earlier age. Again, if we think about ourselves, or if we had that experience or learned a language in high school or earlier, if you had that experience at home, you can draw on both pieces.

My colleague, the gentleman from Maine, said if we miss this opportunity to provide children who are from the zero to 3, some places have programs that are from zero to 6, and you get that interaction with parents and caregivers, and you read to children, and you may think it is not coming through, but it is in many ways. I think if we do not take advantage of this opportunity we are not doing our jobs. We are not doing the job we were sent here to do.

Mr. MCGOVERN. I fully agree with my colleague, the gentlewoman from Connecticut. I just want to pick up on one thing that the gentleman from Maine said about the cost effectiveness of early childhood care. I want to read two statistics.

Long-term studies of the Perry Preschool Program for poor children found that after 27 years, each \$1 invested saved over \$7 billion by increasing the likelihood that the children would be literate, employed, and enrolled in post-secondary education, and decreasing the likelihood that they would be school dropouts dependent on welfare or arrested for criminal delinquency.

Another study of the short-term impact of the Colorado pre-kindergarten program found it resulted in a cost savings of over \$3 million over 3 years in reduced special education costs alone. So there is a very conservative, fiscally conservative argument to be made in favor of investing more in these preschool programs, in these early childhood care programs, because we save money. It is the fiscally responsible thing to do.

I do not think we can stress that enough, because there are some who would say, well, we are just talking about more taxpayers' money being invested into education, more into kids, and for what? Well, the reason why we are doing it is because these programs work. They also save us money in the long term.

Mr. PALLONE. The other thing that I think is so crucial is that a lot of people are not even aware of the fact that right now we are not providing the

funding even for Head Start. My understanding is that only about even less than half of the kids that are eligible for Head Start, which basically goes from 4 to 5, are now in a program.

So even if we were just able to expand the amount of money available for Head Start and allow those eligible kids to be participating in that, that would go far. Early Start, less than 2 percent who are eligible are being cared for.

So the gentleman, and my colleague also, the gentlewoman from Connecticut, they are talking about, really, trying to make a major investment here that we need to make, but it is not being made. I do not want our constituents out there to think that right now Head Start is fully funded, because it is not. There are long waiting lines. I know in my district a lot of these Head Start programs, they have long waiting lines for the kids to get in, and they have not been able to accommodate even half of the kids that want to participate and are eligible.

Mr. MCGOVERN. What we are doing here is a call to action, urging our colleagues here, urging the White House, to continue its leadership on this issue. Much more needs to be done, much more needs to be invested. It is the right thing to do.

As my colleague, the gentleman from Maine [Mr. ALLEN] pointed out, we know the science. We are not making this all up. There are studies too numerous to mention that document the importance of these programs and the importance of focusing attention on those early years.

Ms. DELAURO. Sometimes people say, why should the Federal Government—some of our colleagues on the other side of the aisle say, why should the Federal Government get involved in this? The Federal Government, in terms of preschool education, has been involved, for the very serious commitment in terms of Head Start. Head Start works. We know we have to make sure that it has continued quality, and that is the effort.

Therefore, this is a natural progression, even the wealth of information that we have, to look at how we then can expand this effort and be able to get to our children as quickly as possible, to have them get a good start on life and an ability to be able to ultimately compete.

Mr. MCGOVERN. Mr. Speaker, I yield to our colleague, the gentleman from North Carolina [Mr. MCINTYRE]. I welcome him.

Mr. MCINTYRE. Mr. Speaker, I thank the gentleman for yielding to me.

As we look ahead to the continuing of what we do with young children coming up through the schools, there are programs like Head Start that are making a big difference in counties such as I come from, in Robeson County, N.C. Also there are other programs

that I wanted to briefly address that will help us in this continuum from the young, early childhood right through growing up, children in elementary, middle, junior high, and high school, and even our community colleges and universities.

As a former chairman of a weekday school and day care program in my own church back home in Lumberton, NC, I share this great endeavor to help our children get a good start and a head start and great start in life.

As we look at our children getting a head start in living and learning, we can also look at exemplary programs we have here in our Nation. One of them was referred to by President Clinton in his State of the Union Address back in early February, when he referred to Gov. Jim Hunt of North Carolina, a program called Smart Start that our State legislature has endorsed and that is growing by leaps and bounds in counties throughout our State. I commend this exemplary program on giving young children that smart start to get going in life, such as we have in North Carolina.

There is also another program that we have been directly involved in at the Federal level that we can support. I hope that in the conference committee that will be coming forth with its report very soon, that we will support the Communities in Schools Program. As the old adage goes, if something is not broke, let us not try to fix it.

The Communities in Schools Program is one that has worked. In my home county of Robeson County, we are the only county that has a fully federally funded program that works with at-risk youth and also young children to help keep them on the right path. So as those young children have the opportunity to go into school from their early years to their early school years, they can be involved in computer programs, they can be involved in learning programs, they can be involved in constructive programs to help prepare them, not only as better students, but ultimately as better citizens.

□ 2015

The Communities in Schools program in Robeson County is one that has worked with educators, local community leaders, law enforcement officers, and students working together. And it has helped in the health, social, education, and cultural aspects to give support for youth who may not have the advantages at home that we all would hope that our children would have but, in reality, so many, unfortunately, do not have.

The Communities in Schools program in our area has benefited more than 10 schools, starting with young children coming into the elementary schools right on through the elementary, mid-

dle schools, junior highs, and even at my alma mater, Lumberton Senior High School, where we had part of the Internet Learning Program, which I spoke on to several students back in February of this year.

When we look at the successes of a program like the Communities in Schools, we realize this is one area where the Federal Government can help on the local level. We all know we do not want Federal intervention and the Federal Government telling us how to run our schools. I do not believe anybody really wants that. We know what is best for our local communities. But the local communities need help from a Federal level. Whether it is from a program like Head Start or Smart Start like in North Carolina or where it is a situation where we can come in with a Federally funded program in a low-wealth county such as Robeson County and work to help children who are trying to maintain that Smart Start or that Head Start, we can carry it forward with a program like Communities in Schools.

When something is already helping families, already helping youth, already helping teenagers push them in the desire and direction that we all would have for them to be constructive, positive citizens for tomorrow, then it is a program that we should continue to support. And I am urging my colleagues in the conference report to support this program.

Another thing I wanted to mention is that we are having an education forum in my district on November 3. It is a day before a bond referendum is being voted on in part of our district, and we had another bond referendum voted on in my district today to support schools. But we realize there are three essential elements to help support our kids move through these years as they prepare and go through school. And that is supporting a commitment, supporting construction where necessary, and supporting the age of technology in computers.

First of all, when we talk about commitment, it is ourselves having that commitment. One thing we are going to do in our district is have an education forum to bring together those who have worked with young children right on through high school, parents, teachers, school volunteers, as well as those who are professionally equipped to work with young people to talk about what can we do to sustain this opportunity for young people.

As one myself who has volunteered the last 17 years in the classroom of both public and private schools throughout my area, I have sought to teach these kids the attributes of good citizenship which I call the "Three R's of Citizenship": Understanding their "Rights," something we all love to hear about and want to maintain as children and youth and definitely as

adults, but also matching those rights with "Responsibility," that for every right that we claim, there is a duty or responsibility that we also must sustain. And then third, as we teach our young people to balance these rights and responsibilities, they will then come to the perspective of understanding what we all want, and that is "Respect."

So as we work with young people in our area in teaching them their rights and their responsibilities to ultimately lead to respect, we realize that that is the goal of so many of these programs, that we are working with kids to give them that start so that they ultimately can fulfill their role as a good citizen.

When we talk about, in addition to commitment, we talk about construction, making sure that our outdated school buildings in a lot of rural areas and inner city areas especially cannot sustain a positive learning environment if there is not a positive facility in which to learn.

There are several bills pending now we have in the Congress which I am co-sponsoring that I hope we will join together with our other colleagues to push through: The Partnership to Rebuild America's Schools Act and also the sponsorship of the State Infrastructure Bank, which would allow States to decide where their greatest concern is with local school boards and then support and get the revolving loan funds that a poorer county may not have to make sure that school construction occurs where needed.

And then, finally, the other area besides commitment and construction is that area of knowing that we can move forward with computers and technology, when we realize that there is an opportunity to allow businesses to donate to the schools computer equipment and get a tax deduction, like they currently get for charitable institutions but they do not get it when they give it to a school. And I believe that in order to give incentives to businesses in the private sector to support our schools, that we can give them that opportunity to work with that.

So often when we talk about looking ahead, and we are all concerned about jobs, we are all concerned about the economic environment that families have, we realize that as new industry moves into an area, they will talk a lot about rail and utilities and water and the other kind of things to bring in positive employment. But then they always lean over and say, "Tell me about your schools," because not only will the management bring their children into that school district, but they will be drawing their labor pool for the future from those very schools.

And when we decry the lack of role models today in society for our young people, they are not all going to be the movie stars or athletic stars. The other

99 percent of our children are crying for role models. And where are they? They are standing right here in this Congress. They are back home in our communities and our businesses. They are in all aspects of our community leaders.

Mr. Speaker, if we will take the time ourselves to call up the teacher and say, I will come talk to your class about law or government or health or private enterprise, or if I cannot get up and talk well on my feet to a classroom, I will come read to little Johnny, or, better yet, I will come listen to little Janie read to me, that kind of private, personal involvement that all of us as citizens can take will make a big difference in supporting our children for the future.

Robin Cooke once wrote that, "Education is more than a luxury, it is a responsibility that society owes to itself." And I hope and pray that, with God's help, we will have the wisdom to make the tough decisions not only to understand that responsibility but to have the courage to fulfill that responsibility beginning right here in the highest halls of government, to our going back to the halls of our schools at home to work with children. Our children, our Nation, our future require that we do no less.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman for his very eloquent and passionate statement. And he said something that I think is worth repeating, and that is that what we are advocating here today is not having the Federal Government dictate to the States and localities what they should be doing in their respective school districts, but what we are advocating here today is that we step up to the plate and provide the resources necessary so they can do their jobs.

I, like the gentleman, have traveled my district and talked to schools at every grade level. I have been impressed and inspired by the intelligence of these young kids, by the quality of the teachers. But what has concerned me in some of the visits that I have made is the lack of equipment, the crumbling schools.

Mr. Speaker, there are schools in my district in Massachusetts that were built when Ulysses Grant was President of the United States. That is a great tribute to the architect and the builder. But when Ulysses Grant was President of the United States, they did not think about the Internet, about the need to rewire classrooms and all the things that we have to deal with in this day and age.

So what we here are all advocating is that the Federal Government do what it can to help our local school districts. We know how expensive it is to rebuild a school. It can cripple a community. I have been impressed by the fact that a number of small towns and cities in my district have made the sacrifices to try

to finance new school buildings. But they need help, and we should be here to help them.

Mr. Speaker, we spend a lot of money on things that I think are foolish. I think that our defense budget, for example, is way over budget. The fact of the matter is, it is so big that I think even Dr. Strangelove would be impressed by the incredibly high number. Why are we not investing more in our kids?

I think the quality of education that we provide our young people is just as essential to our national defense as some of these newfangled weapons that we keep hearing about. Again, I commend the gentleman for his statement and I agree with everything he said.

Mr. ALLEN. Mr. Speaker, if the gentleman will yield, I came to this Congress from the Portland City Council, 1 year as mayor and 6 years on the Portland City Council. And while I was there, I heard from, I think, almost every person in my district about the significance of high property taxes.

I have only been here for 9 months, but I will bet that in the course of the debates in this Chamber over the last few years about education, that no one has stood up and said, "I am for abolishing the Department of Education," or, "I am for cutting funding for Head Start or other education programs," and in the same breath said, "And I will advocate at the local level for an increase in property taxes to support additional education programs." I bet that has never happened, because the same people who would say we want the Federal Government out of education would say also that we are not going to support increases in local property taxes to fund education.

The fact is that when it comes to 0 to 3, 0 to 6, the Federal Government is the funding agency. This Government, we already fund Head Start, and, as the gentleman from New Jersey said, we do not provide Head Start for all the kids who need it or for all the kids who qualify according to our regulations. What we have to do is to make sure that we take seriously the problems around this period, 0 to 3, 0 to 6.

But it is going to be a partnership between the Federal Government and the State governments and local governments and school boards and the private sector. We cannot do it alone here, but we have to set the goals and urge the people in this country to take this issue seriously.

Ms. DELAUNO. Mr. Speaker, if the gentleman would yield for a second, we all represent different areas and different parts of the country, whether they are urban or suburban or rural areas.

I keep going back to the fact that we have been privy to some of the most recent, the most up-to-date, the most scientific data about how we can make the biggest impact on our children.

Startling data. We cannot have it more clearly, as my colleague from Massachusetts pointed out earlier. This is it. We have this period of time when we can make the biggest impact for this child's future.

And all that research is wonderful, again, wherever we live, but if it does not spur us to action, the kind of action that we are talking about, and the gentleman from New Jersey and the gentleman from North Carolina have spoken about, if we do not act on that, then, one, I think we are derelict in our responsibility, and I think that we really are shortchanging our kids.

Just two or three statistics that I think are important to note which then trigger off a number of things that say, what are the responses? What ought to be the responses? One-third of victims of child abuse are children under 1 year of age. Parents of all ages and income levels say they need more information on care for their children and how to stimulate their healthy development.

The United States is the only industrialized country in the world which does not have paid maternity leave. We have got millions of mothers and fathers who have to leave their kids and return to their jobs in those critical years. We are talking about the 0 to 3, the 0 to 6 years, and those early months of a child's life.

No one is suggesting that folks do not have to work today. Families have two people in the work force because they need to. But talking about tools, government cannot do everything. Government should not do everything. Government should provide some tools to people.

More than half of the mothers of babies under 1 year of age work outside of the home. But studies show that nearly half of the child care available for these infants is of such substandard quality that it threatens those babies' health and safety. We are not talking about bells and whistles; we are talking about basics for good development.

Mr. Speaker, if we do not take advantage of the scientific information, of that national will that has been talked about, to take some of the resources that have been the tradition of the Federal Government in early childhood education now with what we know, and as we extend it to help the families from 12 years of education to 14 years of education with the tax bill that was passed, and we provided some help there to make 14 years of education universal, what we now have to really apply ourselves to and commit ourselves to is looking at those ages from 0 to 6 so that that period of time is accounted for and all of the positive stimulus that a child can have to develop needs to happen, which is why I am so excited, not the legislation itself, but it is the science and what the legislation can do together for early learning and opportunity.

And I think this kind of a conversation is just the kind of thing that we need to do, and all Members on both sides of the aisle ought to be engaging in this kind of discussion.

Mr. PALLONE. Mr. Speaker, if the gentlewoman would yield, the other thing I wanted to mention, I know that my colleague from North Carolina touched upon it as well, is that Head Start now and Early Start and the legislation that the gentleman has proposed for expanding Early Start, basically it is not just a situation where we are providing child care; we are also providing parents with parenting skills and families with support skills.

□ 2030

I have seen in the Head Start programs where they try to get the parents involved. It is amazing to me sometimes how little some parents know about basically raising kids or doing certain things.

I remember when I was, going back to my own experience again, I remember when I was in the hospital when my first child was born, my daughter Rose Marie. And at that time they had not changed the insurance yet so you were able to stay a few extra days in the hospital and then, of course, we got into the whole thing with the HMOs and the managed care tried to cut back on that. We had to pass a law to extend the days again.

But they would have programs with the mothers and some fathers, too, where they would teach you how to bathe the child or do different things. I was surprised because a lot of people really did not know how to do some of these things.

One of the nice things about the Head Start program and Early Start is not that we are just talking about bathing skills, but they really do try to get the parents involved and teach them skills so it is not just a question of just providing funding for child care. This is a way of providing support and getting people together so that they become more self-sufficient ultimately. There are even programs involved in some of the Head Start programs where they will get involved in employment and help people find jobs, that type of thing. So it is a whole, there is a lot involved.

I just think it is so wonderful that you are talking about expanding this. I just wish that it were possible one day that every child who was eligible for Head Start and every child who is eligible for Early Start was able to take advantage of it. We know how successful it is, not only for the child but also for the whole family experience.

Mr. MCGOVERN. I think that is the type of bold thinking that we need more of in this Congress. I again will commend the President and the First Lady for their leadership on this issue. Head Start is a program that works. We should fully fund it.

The gentleman is absolutely right about some of the skills and support that these programs provide. There was a front page story in the Los Angeles Times a few weeks ago discussing the alarmingly high number of young children who do not brush their teeth on a regular basis. I mean very simple things that we all kind of take for granted here, but it is a disturbing statistic, and programs like Head Start help combat that kind of trend. They deserve our support.

Mr. ALLEN. Mr. Speaker, I do not know that we have talked enough about one of the conclusions of the White House Conference on Early Childhood Development, which is, and I gather there is a new report coming out that will also emphasize the importance of this particular point, home visits, prenatal and postnatal home visits are critical to helping parents cope.

Let us face it, in this country today we have too many teen parents, too many youngsters who are parents at a time when they still need parents themselves. If they are going to be able to bring up their kids, parenting skills are essential.

In the Bath-Brunswick area in Maine, the Bath-Brunswick child care agency has started a program of home visits. It works. It is very helpful.

In the Charlotte-Mecklenburg area in North Carolina the school system has developed a series of brochures that they will give, they will do prenatal visits and postnatal visits, and a series of brochures that will help young parents sort of get some basic information about how to encourage stimulation in their kids.

In Hawaii there is, I am told they have a very comprehensive prenatal, postnatal set of home visits. There is one statistic out of what Hawaii has done that just amazes me. It has to do with usefulness of home visits, not just as a matter of parenting education, not just as a matter of improving our kids' chances in life, but as a way of reducing child abuse.

That number is this. As a result of this program, repeat instances of child abuse have been reduced from 62 to 3 percent. Repeat instances of child abuse have been reduced from 62 to 3 percent. That is a large part of the reason, home visits.

The fact is if we are going to deal with the phenomenon of young people today growing up in the kinds of families with all the stresses and strains that modern families have, we need to focus like a laser on zero to three and zero to six and make sure that all our kids have a chance to grow up in a healthy, productive home.

Ms. STABENOW. On that point, if the gentleman will continue to yield, I congratulate all of my colleagues for standing up for children and for public education. These are such important

issues. We will have in front of us tomorrow issues dealing with public education.

But to share with my colleague from Maine, we in Michigan have been focused on those very same issues. I was very proud back in 1982 to sponsor something called the Children's Trust Fund in Michigan, focusing on parent education and child abuse prevention. We have done a 10-year study of the dollars spent on working with young parents when children come home from the hospital.

It is a Big Brothers, Big Sisters kind of concept. The fancy name is perinatal coaching, but it is based on the idea of giving support to young parents from the moment they step into their own home with that newborn, to help them as they learn new parenting skills and be able to work with them through the first year of the child's life to raise that child, to give it the kinds of skills you talked about.

Michigan State University followed this kind of effort and the efforts of working with parents of young children up through Head Start for 10 years. And they compared the amount of money spent on prevention with the amount of money spent in school later on, on substance abuse problems, mental health, dropouts, and ultimately crime. And they were able to measure that for every \$1 we put into the kinds of things you are talking about this evening, we saved in Michigan \$19. We literally have an ounce of prevention worth a pound of cure.

We now can demonstrate. One of the frustrating things about prevention is that folks always say you cannot measure it. When you lock somebody up, you know you are creating a safe community. When you are doing preventing on the front end and stopping abuse in the first place, so children do not grow up and potentially end up in those prisons, we do not have a way to measure it. In Michigan, in working with important efforts in Lansing, important efforts around the State, we have measured that and can demonstrate that from a taxpayer's standpoint, as well as just plain common sense for children and families, focusing on what we are talking about tonight makes sense.

Mr. MCGOVERN. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. MCINTYRE].

Mr. MCINTYRE. I was going to mention this briefly to tie in with the coordination and cooperation not only from the Federal level but State and local. I think it is important to emphasize that the support mechanisms cannot of course come up from here in Washington. We want to target help where we can try to give the maximum use of any Federal dollars that are spent in situations to help those on the local level best meet those crying needs of our young children in early childhood.

A practical way to do this is something that I know we have done in North Carolina. Ten years ago I had the privilege of being a charter member of the very first North Carolina Commission on Children and Youth. One of the key things you can do is bring together concerned private citizens and those who serve in the public sector, as well as those from social agencies and churches and synagogues, other houses of faith, to come together and tackle the problem on the State level and then of course to bring it down to the local.

Our Commission on Children and Youth was so successful that just within two years the State legislature redesignated it and started a new commission called the Commission on the Family. Then we dealt with these issues that would carry from early childhood right on through the sunrise right on through the sunset of life.

But when we looked at that, we took it yet another step. We encouraged local communities to start commissions on children and youth and the family, to help support these kind of programs so that when we come into an area and make a difference, you have local leaders involved from the public and the private sector.

In my home town of Lumberton, we were one of the first four communities in North Carolina 8 years ago to start a local commission on children, youth and the family. I served as a charter member of that. What we sought to do is exactly what my good friend from Maine was just talking about, and that is, we offered programs not only to help support families and offer them ways to increase their parenting skills but we actually said to the local churches and the local civic organizations, if you would like to offer a class on parenting skills, we will offer it for a set time and you can become involved.

That brought it right home. It was amazing the number of people that signed up and said, "Yes, I want to be a good parent. I want to help my kid in those early years, but show me how because I have never been a parent before."

I think when we can find ways to bring the Federal, State and local level together and encourage these types of local commissions, it will make all the difference.

Mr. MCGOVERN. I would say to my colleague that he is absolutely right. We need to reach out to the local level. There are some amazing things going on in my district in Worcester and Attleboro and Fall River. It is inspiring, some of the programs that are now being implemented. But they need the help. They need the support.

When I go back home, what they tell me is, "We would like to duplicate our efforts and triplicate our efforts but we do not have the resources." We will

have a forum on November 1st in my home city of Worcester to try to bring people together to try to find ways to promote some of what works. I hope we can bring that message back here to Washington and get the necessary resources and backing.

I thank all my colleagues for joining in this special order tonight.

CAMPAIGN FUND-RAISING INVESTIGATION

The SPEAKER pro tempore (Mr. COOKSEY). Under the Speaker's announced policy of January 7, 1997, the gentleman from Indiana [Mr. SOUDER] is recognized for 60 minutes.

Mr. SOUDER. Mr. Speaker, I think before moving into the general topic I am getting into tonight, I want to express my support for many of the education initiatives, although I think sometimes we get it backwards and think Washington is the fount; unless something is done out of Washington, it will not be done.

I know that it was under a Republican President that Head Start was created, and Ed Ziegler of Yale University worked with then President Nixon because he felt there were some gaps. We ought to look to Washington to fill gaps, not to be the end-all, be-all of education.

Sometimes I think while the motives are correct on the other side, that is, that we need to help our children, and all of us who are parents of young children, older children, are very concerned about education and it is not a partisan type of thing, but we do have some substantive disagreements over whether it should come out of Washington and be controlled out of Washington or whether it should start with the parents and back home.

I am joined tonight by my friend, the gentleman from Arizona [Mr. HAYWORTH]. I know he wanted to make some opening comments, too.

Mr. HAYWORTH. Mr. Speaker, if the gentleman will yield, likewise, I thank those who preceded us this evening in this Chamber for discussing the issue of education. I think the gentleman from Indiana makes a very salient point when he distinguishes part of the difference of how best to deal with schools, how best to deal with this precious notion of educating our children and what is at stake in the future.

I was pleased to hear many of our friends on the other side talk about local initiatives but this, I believe, is the key. That is that initiatives can develop at home rather than be Washington-based, with a Washington community then trying to send those notions down to the schools, if you will. Things can happen at home on the front lines with volunteerism, with innovative teaching, with people taking time in their respective communities to adopt a school. But my colleague

from Indiana is quite right when he mentions that there are ways for government to fill in the blanks.

I would take this time, Mr. Speaker, to inform my colleagues on the other side, as I have through many inter-office letters, of a couple of pieces of legislation that I think are vitally important, both of which are drawn on a rich history of bipartisan cooperation. The first I would commend to everyone in terms of attention is the Education Land Grant Act of 1997, a bill I developed for those rural school districts that live adjacent to federally controlled land.

It is based on what happened in the Sixth District of Arizona in the 104th Congress, where the small town of Alpine, Arizona did not really have any resources to build a new school. Its tax base had been eviscerated because the folks there were not really allowed to ranch or to harvest timber any longer because of some court orders. So they came to me and said, "Do you think we could get a conveyance of 30 acres of Forest Service land, so that we could save what scarce resources we have on books and bricks and mortar and teachers and students and building a new school?" I was pleased that during the 104th Congress we passed a conveyance of land of 30 acres to the Alpine School District.

I got to thinking, based on our history, is there something else we could do. I looked back to the Morrill Act of the 1800s during the Lincoln administration where through land grant opportunities, Federal land was given back to the States for the creation of institutions of higher learning. Out of that grew the notion of the Education Land Grant Act where we can go and convey acres, up to 30 acres at a time to those school districts adjacent to Federal lands, so that they can save their precious resources for school construction and for improving the quality of instruction within those schools.

I would commend that to my colleagues on both sides of the aisle. And also a bipartisan bill I coauthored and cosponsored with my friend the gentleman from Georgia [Mr. LEWIS]. We do not agree on a lot, but one thing that we think is important has to do with mathematics rather than philosophy. It is the notion of raising the ceiling for private bonding authority for local school districts working with banks and financial houses that are private.

□ 2045

Right now Congress has a ceiling of \$10 million there. When we checked, we have seen that banks and other financial houses say we can raise that level to \$25 million with no problem whatsoever and that can help school districts across the country as well.

One other note on the Education Land Grant Act, or as some have come

to calling it, with an acronym, HELGA, the Hayworth Education Land Grant Act, we should stipulate, Mr. Speaker, that the lands we are talking about are not Park Service lands nor wildlife refuges. Those areas would not be available for conveyance to local school districts. But so much other land is federally controlled from coast to coast, and specifically in the American West, that there is a variety of land that could be available that is not Park Service land nor wildlife refuges that could make a real difference for many different school districts.

So I am pleased to join my friend from Indiana, and based on what we heard in the previous hour, in offering other approaches to education, which we believe may be more practical and certainly can have profound effects for all congressional districts, for all school districts from coast to coast.

But, Mr. Speaker, I would be remiss in joining my friend from Indiana if we were to neglect the reason we are primarily here tonight, and it is something as basic as education and, indeed, one of the first things we learn, and that is the notion of what is right and what is wrong. And, sadly, recent events in Washington force us, really compel us to come to this floor to discuss inaccuracies, discrepancies and what, sadly, may in fact be widespread breaking of laws.

I yield to my colleague from Indiana, because I know in his role on the committee overseeing this, he has had firsthand experience on this legislative day.

Mr. SOUDER. And it is important to note, because people may get confused sometimes in these special orders when we, some of us in particular, have been trying to point out some of these problems that have developed in basic justice in this country and abuse of the political process, it does not mean we are not doing lots of other things. I also serve on the Committee on Economic and Educational Opportunities. It was my first choice. For 4 years in the House and for 4½ years as a Senate staffer, my first focus was children and family issues. I was Republican staff director of the Children-Family Committee; worked on many of these issues, and worked on them with Senator COATS in the Senate.

I have a deeply held conviction of the importance of education in the system, and I get tired of hearing we do not care about public schools. My kids have gone through public schools, I went through public schools, my wife went through public schools, and that is an important issue to us. But I am also on the Committee on Government Reform and Oversight, and we have also seen a perversion of our political process.

I wanted to, first, on the eve of an important day, because tomorrow the House investigation begins on the

abuses in the political process, and particularly the campaign process, I would like to sketch a little background. I know the hearings that we held today, where we gave our opening statements, will probably be aired later tonight if not later this week, and then tomorrow we have our first witnesses in the House investigation, but I wanted to put a little bit of context into what we are doing and how this developed.

I want to start with a little bit different spin. A man named Dick Morris, who has become relatively infamous around the United States, has written a book. While it may not be the most interesting book that has ever been written, and quite frankly is a little bit self-serving, as many of these type of books are, nevertheless gives us some very interesting insights as to how the political process can become corrupted.

Let me give my colleague a brief book synopsis that really outlines how we got to what has been happening since we came into Congress. And that was, basically, in 1994, after the election that brought the gentleman from Arizona [Mr. HAYWORTH] here, brought me here, the President was in deep trouble. Much like happened in Arkansas when he was defeated after one term as Governor, he realized he needed to change his strategy, and he brought Dick Morris back.

One thing Dick Morris suggested, and he writes about it, and he writes about it proudly, was they needed to have a permanent campaign. An interesting thing happens when are going to have a permanent campaign. It means one has to have a permanent fundraising operation. And early money is hard to raise, so one has to go to some places that may or may not be quite as up front and a little different, plus there is the need for huge quantities of this money.

They wanted to run ads in the district of the gentleman from Arizona [Mr. HAYWORTH] from day one, pounding him, from the time he got elected until his reelection came up. They wanted ads running while we were in this government shutdown debate trying to spin to the American public. Quite frankly, our side sat back and waited until the election.

In this process, a man named Harold Ickes, Jr., it is clear in Morris' book, and some is not as clear in the book, Ickes and Morris fought when they were in New York City growing up. Because Harold Ickes is most liberal he has been committed to the liberal cause. Dick Morris is committed to the latest poll. It is not that he does not have some convictions of his own, but his convictions are a little movable and he is willing to try to win elections first.

Harold Ickes did not like that and he found himself getting cut out of the process from the White House. It is documented in other places too, but

Morris more or less ignores him in the first part of the book. Then an amazing thing happens. Harold Ickes, whose memos, quite frankly, have been very important in this, because he had some with the President's initials on them and Mrs. Clinton's initials on them, Harold Ickes was suddenly brought in and Morris delineates why: Through praise. He praises him for his fund-raising efforts and how much money he has been able to bring in.

And Ickes got access in the decision-making process of the White House by being the point person with the outside in how the money came into the system. This is documented by the memos he left the White House with.

So Morris takes over and takes it in a polling direction. So we get things like welfare reform, that Ickes did not like, and the liberal Democrats did not like. Ickes gets back into the process through fund-raising.

Interestingly, also, the Vice President of the United States is praised repeatedly in this book for his wonderful efforts in fundraising.

Now, in the book there is no indications there was illegal fund-raising, but that gives us the ideas of the pressures in the system that were occurring that lead to the dramatic fund-raising abuses. And that has not really been laid out exactly why did this happen and what was different and why were there such massive amounts of money. It was because they decided to do a permanent campaign.

But some of this actually started earlier. In the Committee on Government Reform and Oversight, from the time we took over and we started to investigate, we heard there was this problem in the Travel Office. And we started looking at the Travel Office and we wondered, well, why is this person walking around the White House without a security clearance? Why is this person walking around? Why are the Thomasons involved in such a little thing? Because it did not seem that many dollars. And even though they owned the travel agency, why were they involved in this?

And as it evolved, we discovered they were trying to get the travel budget elsewhere; that there was this person over here who was a girlfriend or boyfriend of this person and there was a Clinton distant cousin over here. And we started to see the pattern we are now seeing in full bloom a couple years later. So as we were investigating the Travel Office, we started to check on where did these security clearances come from.

The next thing we know we turn up the FBI files case, because we start saying how did they get these clearances. Hey, some of these names, they do not have any business having. These people are Republicans. They have not been in this administration. John Towers is dead, as a matter of fact.

Mr. HAYWORTH. If my colleague from Indiana would yield for just a second, if I am fully cognizant of the reports and our recent history, we are not talking about a few files. We are not talking about a dozen files. Could the gentleman from Indiana provide for the record how many files are we talking about?

Mr. SOUDER. We honestly do not know. We know there were at least 200, then 400. It appears there were at least 800. Chuck Colson went to prison after the Nixon administration for showing one.

We documented that interns had them, that multiple people had them. We know they were out there. What has not been documented yet is whether they have been abused. But merely having people's secret files, with any allegations, raw allegations, unproven allegations are in these files.

Mr. HAYWORTH. Indeed, to draw the proper analogy, and I thank my colleague from Indiana for yielding, but it would seem to me these FBI files contain very personal information. And it would be akin to someone, a pickpocket, having hundreds of wallets that he had purloined from different folks. Now, maybe the pickpocket never used the credit cards in the wallet, maybe the pickpocket never took the currency out of the wallet to spend, but yet that wallet, something very close to someone, personal possessions, were taken away and in the possession of someone else who could have used that information, that currency, if you will, in this information age, in a very disparaging way.

Sadly, again, it seems that was another example of some folks in the executive branch running roughshod over constitutional rights and, indeed, our traditions of law in this country.

Mr. SOUDER. And to take the gentleman's analogy further, in addition to, in effect, pickpocketing people's billfolds and private things that were official and on record, this is not a matter of FBI files where they just have whether an individual has been picked up for a parking ticket or where they went to college. These are when an individual applies for a secure government job and they go try to find out what anybody says about them.

So there are raw unedited transcripts of if somebody says I saw him at dinner somewhere and he was having an affair. I saw him at a gay bar one time. I heard that he beats his kids. These things are in those files and individuals do not even know they are in their files, and yet we have kids, we had all sorts of people walking around with these.

The question comes, were they potential blackmail files for people who were holdover, or for people who they had to do business with outside, or for, quite frankly, staff members who used to work in the administration and came

over. We do not know, and that is still unanswered.

But as we moved through this, we turned up Craig Livingstone, and he was in charge of White House security and the files, along with Anthony Marceca, who had been kicked out of different campaigns for multiple questions, had had various problems in their lives. The question was who hired these people? Craig Livingstone would not say who hired him. The attorneys would not say who hired him. They said maybe Vince Foster did, which was always the convenient answer. It was always the dead guy when we tried to get an answer.

But then we found out they had a data bank. And from the files investigation we turned up they had this data bank. And as we looked at the data bank, they had these piles of documents with little codes on them. And we found out that the codes were amounts of money that the people gave, and they had a code so they could know at the White House how much money these people gave. And that was the codes for coffees and Lincoln bedroom. And that is how we evolved into the coffees and the Lincoln bedroom question.

So this has been an unfolding process as we go through this, and we are now seeing the last phase of this, which is the foreign money, in what appears to be at least on the surface. And we are trying to get the evidence, and that is the purpose of these hearings, of were we penetrated by foreign governments? Was national security compromised? Did they make land deals or other government decisions based on who was at the Lincoln bedroom; based on who was at a coffee? Because we have seen this pattern.

And I want to relate two other things that make us extra suspicious. The American people are generous people, and they will give people the benefit of the doubt, but we have seen a repetitive pattern of stonewalling through all these investigations. And every one we get into, there is this excuse as to why they cannot give us the information of why this person has fled overseas. Sixty witnesses pleading the Fifth Amendment. Twenty-five so far have fled overseas. They always have an excuse.

I also happen to have, for a variety of reasons, chaired two investigations of the INS. I, quite frankly, and bluntly, was reluctant, because the chairman was not here at that point. Mr. Zeff, who had led much of this, decided to run for governor of New Hampshire, and I wound up chairing the subcommittee.

But I was reluctant, because I was afraid that in investigating these things would be perceived as anti-Hispanic. But at some point the truth just stares us in the face. We saw the piles of documents that civil servants, many

of them Democrats, were bringing in bundles of tests, citizenship tests filled out in the same pencil, in the same handwriting; there are people coming in and saying we had eight boxes of applications that never had a background check; and we watched and heard these people say that the deadline was the voter registration deadline.

The deadline was not to try to get people in. We wanted legal aliens to become citizens. And out of the 1.1 million who came in, at least a million were completely legitimate. But it appears that up to 100,000 were not. We had rapists. We had all sorts of people brought in because of the pressure to get the voters registered for an election, which ties in with Morris' whole scenario.

So we already have the public acknowledgment that the INS has fired people and cleaned up their process, and are working hard to do this, but the INS clearly violated the law.

Now, interestingly, Mr. Zeff and, then full committee chairman, Mr. Clinger, were pursuing another category. In this other category was the White House communications agency. I wound up at that hearing as well and chaired part of the hearing, and found it, quite frankly, one of the more boring hearings I have been to. I confess that not everything we do here is interesting, even when we pretend it is interesting.

We heard GAO tell us that the White House Communications Office had major reporting problems; that it was funded under the Department of Defense, and the Department of Defense was accountable, but the political people at the White House, because usually they had a fairly low to mid level defense person over there, was being pressured by White House high ranking political people. And we, in particular, were looking at a major waste of a huge broadcast system they had purchased with a high percentage of their budget that then they could not get on one plane so they were not using it.

Also came out charges of a variety of different things that they were looking at.

□ 2100

One the charges of this office that we said could easily be abused, that GAO said could be abused, that we were holding a hearing on, one of their charges was to videotape key events at the White House.

As of last night, the media started to ask questions, because we turned in fraud potential in this office a year and a half ago, and it is clear in the process not only has this committee, full committee, been requesting tapes and they only turned up yesterday edited, but these tapes, we had a hearing where we were investigating this agency and they did not come up. And then when the tapes come up, it is, "Sorry, the audio is missing."

Some people did not seem to have read Watergate. And that is, when there is a missing 14½ minute gap in Rosemary Woods' transcript at a very key point, people jump to logical conclusions. And when the tapes come back without the audio in the part where the allegations have been that there was fund-raising, we have doubts.

One of the things I went to this chairman of this subcommittee today to follow up on is, I think we need immediate hearings in this subcommittee that is already investigated, on top of the hearings from Chairman Burton that are starting, and say, "Okay, who filmed the stuff, the stuff that was played on C-Span the other night that was clearly edited? Where is the full tape? Did you doctor these tapes? What happened to the audio of these tapes? Who did this? Who authorized you to do this?"

This is shocking, that they went through and did this and abused a Defense Department agency, which we had already been warning about, that they had potential fraud in the way that they were setting it up.

As the gentleman from Arizona [Mr. HAYWORTH] knows, I am on the same committee with the gentleman that is looking into this issue, the Government Reform and Oversight Committee, and was there for the opening statements today.

My colleague raised some serious points about this issue of the tapes. I just want to bring a little levity here because, quite frankly, there are parts of this thing that I find incredibly humorous. Let me just kind of walk through it.

The tapes the gentleman has been referring to are videotapes of the so-called coffees that the White House conducted, where they invited in these individuals, most of them, coincidentally, major donors to the Democrat party and of the White House and of the President, but maintained, and had maintained for months now, that these were not fund-raisers. "Look, these are reasonable and legitimate, and we are having nice discussions, but they were not fund-raisers."

What I find humorous about it is a couple of different things that reveal how we got the revelation of these tapes. For example, when the White House, first in response to our committee's subpoena, searched for the names of the individuals we knew had attended those coffees, according to press reports, and I am quoting here from George Lardner, Junior's Washington Post story the day before yesterday, they searched for those individuals' names, the White House database came up empty.

As a matter of fact, they could not find anything on those individuals in the White House database. So they said, what we really should do is search under the name "coffees." And, in fact,

they did come up with what they call, I think it is a total of 44 hits, under the name "coffees," and that is how we led to the discovery of these tapes. They only bothered to wait from March, when we subpoenaed this information, until, we are in October, are we not? until October to decide, well, let us look under "coffees."

But the fascinating thing is that in Mr. Lardner's story, he goes beyond that and he says, guess what? Somebody had the bright idea of searching under "coffees" to look under "DNC." What is "DNC"? Democratic National Committee. And to look under "fund-raiser."

Now, I do not know why they would look under "DNC" or "fund-raiser," because, as we all know and as the American people have already come to believe in their heart and soul, these were not DNC fund-raisers. And yet the curious thing is, when they did search that same White House computer database under "DNC" or "DNC fund-raiser," they did not get 44 hits, they got 150 hits.

Mr. SOUDER. Mr. Speaker, reclaiming my time, people who put that in there never would have acknowledged it in their own computer system.

Mr. SHADEGG. After all, the White House spin machine has been running around the clock to spin this thing as coffees, get-togethers.

What did my colleague say the other night? What is the coffee shop, prominent coffee shop?

Mr. SOUDER. Starbucks.

Mr. SHADEGG. This is Starbucks on Pennsylvania Avenue.

Mr. SOUDER. Only a lot more expensive.

Mr. SHADEGG. Only a lot more expensive. And the fascinating thing is, well, all 44 coffees also happened to be hit under the same computer system for DNC fund-raisers.

Now, let me see, the White House spin machine has been saying these were not fund-raisers, "We were not using public property for fund-raisers." But when they searched DNC fund-raisers, the same 44 turned up. And we know that. Now, what is the difference between 44 and 150? There are 106 others out there that we do not know anything about. I find it absolutely fascinating and tremendously humorous.

But there is one more point in all of this that I want to bring out. When this came out, I happened to be in Arizona en route back to Washington when I first heard this story of the tapes released: "White House releases tapes of White House coffees," not fund-raisers, even though the White House itself in their own computer called them DNC fund-raisers. But when the tapes came out, the national news reporter I heard on this radio story said, "But they do not show any breaking of the law; they actually back up the President's story."

I kind of listened to that for a minute. Then I got here, and I happened to see the tapes the other night. There are fascinating things in the tapes; for example, the missing gap of time. Rosemary Woods surfaces again, and there is, you know, a human gap. Now it just so happens that the gap appears on the one tape where we see none other than John Huang. It is kind of, huh, I wonder how that happened.

Mr. SOUDER. Coincidence. We are jumping to conclusions.

Mr. SHADEGG. Mere coincidence. We are leaping to conclusions. "These were clearly not fund-raisers." They will call them fund-raisers in their database, but that was a goof.

Mr. SOUDER. They had to have some way to distinguish it from other coffees.

Mr. SHADEGG. Of course.

But one last point I want to make on this that is also humorous is that while the news spin was that these were, in fact, clearly not fund-raisers, and indeed nothing in the tape shows the President saying, "give me the money," that is true, it is not there, what is there is the understanding of the people who attended.

The understanding of the people who attended is quite clearly shown on a tape for which they accidentally released the audio. And you know what it is? It is this gentleman in the audience saying, "Hey, I got the checks. I got the checks."

As a matter of fact, the White House spin is, "Well, these were not fund-raisers because the DNC official in the room turned the checks down." Now, I mean, I am certain this is one lost soul who happened to make it to these coffees and had the mistaken notion that he should be offering up these five checks. Clearly, he was a mistaken soul.

The fact that there was a DNC official who said, "Wait until later; wait until later," I am certain these were not fund-raisers. Thank goodness the White House has come forward.

The last point I want to make: Because the White House has been so incredibly forthcoming, I am certain that within minutes of when we discover there are over 150 events, take away the 44, 106 events, the White House will be forthcoming. They will give us all the tapes of those events, computer records, all the lists of people identified; they had never stalled or delayed in any way of providing information; they have never stonewalled or failed to respond to a subpoena until we threatened contempt. I am certain that within minutes the President himself is going to run down here and say, "Here is everything."

As a matter of fact, in this morning's paper, the President said, "Well, they have the evidence." The chairman of our committee, the gentleman from Indiana [Mr. BURTON], pointed out they

do not have the evidence. They, in fact, stonewalled. But I am sure it is just a glitch.

Mr. SOUDER. The key thing is, as the gentleman from Arizona [Mr. SHADEGG] knows, he is an attorney, what we need to do is check out the statute of limitations on a lot of these things.

Mr. SHADEGG. If the gentleman would yield again, I understand. Now they will surface the day after the statute of limitations. How foolish of me.

Mr. SOUDER. What a pattern.

Mr. HAYWORTH. I thank my colleague, the gentleman from Indiana [Mr. SOUDER]. And I am very pleased that we are joined by the gentleman from Arizona [Mr. SHADEGG], because he has distinguished himself in the legal profession as he distinguishes his work here in this body.

I would simply offer one different take on one aspect, because I know my colleague is laughing to keep from crying, because none of this should bring us joy.

It is one thing to have political differences with folks and to have philosophical discussions. In a free society, we champion that. The problem now is a pattern, as my colleague said tongue in cheek, that is really not coincidence, that seems to be a habitual pattern of lawbreaking.

I thought it was very important when he mentioned the videotapes and how they had obviously been edited and when my colleague mentioned the lone, soundless tape.

Let me read today from the Omaha World Herald on this point. Quoting now the Omaha World Herald, "The lone, soundless tape in Clinton's collection is one of the potentially more important videotapes made. It shows DNC fund-raiser John Huang introducing the President at a coffee on June 18, 1996. A Johns Hopkins University professor has testified that Huang said, 'Elections cost money, lots and lots of money. And I am sure that every person in this room will want to support the re-election of President Clinton.'"

Mr. SOUDER. This is the part that is missing.

Mr. HAYWORTH. That is the audio that is missing, according to the testimony of a professor from Johns Hopkins University.

What is also fascinating, and my colleagues have distinguished themselves, I believe, in these special orders where they have helped to inform the American people, but I want to call on my colleague, the gentleman from Arizona [Mr. SHADEGG], for some free legal advice here in the people's House, and it has to do with some other things we have heard now dealing with these issues, because there are some at the White House, some attorneys there, who tell us that if a law is an old law, it should not count any longer.

I refer specifically to the Pindleton Act. Let me ask my colleague, the gen-

tleman from Arizona [Mr. SHADEGG], has he ever seen a situation where a cogent, logical defense is, a law is old, therefore, it should not be observed?

Mr. SHADEGG. Well, certainly I have not. Indeed, perhaps the first laws enacted in the world are laws against murder, therefore the oldest, certainly laws we ought to respect before any other. The notion that an old law is due less deference than a new one is, on its face, absurd. Actually, the existence of a law for a long period of time establishes that it truly embodies the consensus of the society.

Clearly, these are searched-for excuses by the White House to try to get out from under what they have done.

A fascinating parallel is the line, "Everybody else does it." Another one is, "Well, we certainly thought we were complying with the law."

I love that one with regard to the issue of phone calls by the President himself from the White House, because if my colleagues recall the sequence of events, his first story on phone calls from the White House was, "I don't recall making any." And then his second story some several weeks later was, "Well, I know that at the time we did this, whatever it is we did, we believed we were complying with the law."

Now, spare me, and maybe my colleagues can help with this. I have problem with the logic that says, "I do not remember doing it, but if I did it, I remember that I thought I was complying with the law." That one is tough for me.

Mr. HAYWORTH. And even more astounding, as the gentleman from Arizona [Mr. SHADEGG] and the gentleman from Indiana [Mr. SOUDER] will acknowledge, even more astounding was the explanation that we heard from the Vice President of the United States, who stood before a gathering of the press and said that he was proud of his actions but, from that day forward, he would not repeat them.

And he developed for that press conference one of the most infamous phrases that I believe has been hoisted upon the American people, because the Vice President of the United States, the man who, if circumstance and tragedy struck, would be elevated to this Nation's highest office, the Vice President of the United States said, "There is no controlling legal authority that pertains to my conduct."

Mr. Speaker, my colleagues, and those who join us through the miracle of television, coast to coast and around the world, ponder those words, because words mean something.

For the Vice President of the United States to presume and to protest that there is no controlling legal authority can only lead us to conclude, sadly, that the Vice President of the United States believes himself to be above the law, believes his conduct, which is and has been and is suspected of being ille-

gal in this regard, somehow should result in no sanction, somehow should result in no punishment, but instead should be blithely dismissed as just one of those things, because as my colleague, the gentleman from Arizona [Mr. SHADEGG], to paraphrase so many who work in the fourth estate here in Washington in the news rooms here so eager to explain things, so eager to change the agenda for our Nation, as they try to say, "Everybody does it."

□ 2115

Mr. Speaker, I would like to go on the record tonight with my colleagues here to protest that notion; to say most certainly, not everyone does it. Indeed, when we came to this Chamber, when we started to help change the way Washington works, one of the first things we were taught was that these offices are government offices provided by the taxpayers, belonging to the taxpayers and our constituents; they are not to be used in any way, shape, fashion or form, for fund-raising.

This is an elemental lesson in the education of a public servant in this role in the people's House, in the other Chamber, and dare I say at the other end of Pennsylvania Avenue. This is one of the first things we are told and we are taught, and sadly, there are some who have ignored the lesson, some who would presume that they are above the law because they claim there is no controlling legal authority. How tragic, how shameful that utterance truly is.

Mr. SOUDER. Mr. Speaker, reclaiming my time, clearly the Vice President of the United States first was warned by the legal counsel in a memo that has been circulated all over the country in newspapers. He was a Member of this body in the House and knew that we could not do it. Then he was a Member of the other body, the Senate, and told that he could not do it. He has no excuse. We are tired of hearing these kinds of excuses.

The gentleman read earlier from the Omaha World Herald, and in Hotline today, now admittedly, these are audio only; I do not have any video, and also, I only have highlights from some of these editorials. But if I was at the White House, I would not complain about me editing. They are not in a real strong position here.

But I want to show the reaction around the country and express my disappointment with, quite frankly, a lot of members in the other party for not agreeing to speak up. As my colleagues will see if they watch C-SPAN and the upcoming opening statements of the members of this committee, there were a lot of excuses and a lot of dancing around about how everybody does it, which, A, is not true; how we ought to be investigating Congress, which we have no jurisdiction over, we are an oversight committee on the White

House and the executive branch. Our duty is to look into misconduct. That is what our committee's charge is to do and we are going to do that.

Back in the days of the Grant administration when they looked into the Credit Mobilier scandal, they did not say well, Philmore did it; well, so-and-so did it before. They looked at the scandal that was in front of them.

Back in the days of the Teapot Dome, the excuses were not, oh, other people did it. They looked into the scandal of Teapot Dome. Quite frankly, in Watergate, some, including myself, initially felt they were picking on Nixon, but we had the courage to say as it unfolded, what he did was wrong, what the Vice President did was wrong, and that we did not say, look, because Lyndon Johnson bugged Barry Goldwater's room and because Lyndon Johnson covered up, therefore, Nixon should not be kicked out of office just because Johnson did it.

First off, we have not established that other people did what Clinton did. Particularly we are looking at all these scandals put together in one administration. But it is no defense, and when is the other party going to start to step forward?

I want to read these newspapers and show that newspapers around the country have come to this conclusion. Where are the members of the other party?

Mr. HAYWORTH. Mr. Speaker, I just simply want to make the point, and I thank my colleague from Indiana for yielding, because he makes the point that I can recall many of the arguments as I was coming through school, as my colleague from Indiana was, in the wake of the Watergate scandal. And I do wish that many on the other side of the aisle would heed the words of the late Democratic Senator from North Carolina, Sam J. Ervin, who said in response to those types of protestations, well, does that make it right?

Are we to ignore it in this situation because it may have gone on before? That is the type of selective analysis that is akin to saying that if a traffic cop pulls me over and I try to say, "Well, everyone else is speeding," is the traffic cop simply supposed to say "Well, you are right, so I will let you go on your merry way." No, of course not.

By definition, it is going to be selective, but how I wish that others would speak up and remember those words of Senator Ervin: Just because it happened before and perhaps was not prosecuted or investigated, does that dismiss the current problem? Of course it does not.

Again, it brings us no joy to do this, but it is a sad tale of woe that goes to the very fabric of our constitutional republic, and to ignore these problems, these discrepancies, these misdeeds would be to do our country a grave disservice.

Mr. SOUDER. Mr. Speaker, I know this will take a couple of minutes, but I want to show how overwhelming public reaction has been around the country.

New Mexico, Albuquerque Journal: "The administration could save itself considerable trouble and criticism if only it learned to be candid."

Georgia, Augusta Chronicle: "It's time for Congress to start drawing up articles of impeachment against Reno. She is open to charges to both conflict of interest and incompetence. It's time to get rid of the worst Attorney General in the Nation's history."

Alabama, Birmingham News: "Apparently, Ms. Reno believes she must have photographs of illegal transactions taking place before she can proceed with a special investigation. Perhaps the videotapes of the coffees and other fund-raising functions at the White House will give her what she's looking for."

New York, Buffalo News: "President Clinton can insist that no money changed hands and no policies changed at all when he schmoozed with donors in White House receptions caught on videotape. But the reality is that the public is entitled to suspect the worst."

West Virginia, Charleston Post and Courier: "Clearly the White House is not cooperating fully with Ms. Reno's probe. That puts her in an impossible bind. The sooner Ms. Reno hands off this investigation to an independent counsel, the better it will be for her and for the reputation of the Justice Department, which is sinking fast."

Ohio, Cleveland Plain Dealer: "If the failure to reveal these tapes to the congressional investigative committees isn't obstruction of justice, it's far from the 'full cooperation' the President and his men keep claiming."

Texas, Corpus Christi Caller-Times: "The President's team is either spectacularly inept or willfully obstructionist."

Michigan, Detroit Free Press: "Janet Reno is part of the problem, not part of the solution."

Indiana, my hometown, Fort Wayne Journal Gazette, another Democratic paper, which many of these have been: "You hear no claims of executive privilege this time. No excuses about controlling legal authority. No accusations that the Republicans did it, too."

New York, Long Island Newsday: "The tapes made Reno look clueless in denying once again the need for an independent counsel."

New Hampshire, Manchester Union Leader: "Of course only the Clintonoids know whether these tapes, under subpoena for six months, were tampered with, altered or edited. Only the Clintonoids know whether these are all of the tapes or whether there were others of a more incriminating nature that have since disappeared.

And so it goes in the Clinton kleptocracy."

New York Times, New York: "Justice has been conducted in a slipshod investigation."

We already heard from Nebraska and the Omaha World Herald.

Pennsylvania, Philadelphia Inquirer: "Janet Reno needs to get her head out of the sand, tune in to the conflict-of-interest problem, and hand these allegations over to a preeminent lawyer free of political pressure."

Oregon, Portland Press Herald: "Only an independent special prosecutor can bring the credibility needed to determine whether the President and Vice President of the United States violated the law."

Missouri, St. Louis Post Dispatch: "Ms. Reno should seek a special prosecutor for the Clinton-Gore telephone solicitations and ask the prosecutor to investigate the other White House fund-raising investigations as well."

Now, once again, these are not Republican conservative papers.

Minnesota, St. Paul Pioneer Press: "No more than Richard Nixon could 'circle the wagons' during Watergate can a modern White House keep 'losing' documentation of its actions and hold onto its credibility."

California, San Diego Union Tribune: "The Justice Department's investigation of possible White House campaign finance violations has lost all credibility."

California, San Francisco Chronicle: "The long-sought videotapes may show nothing incriminating, but the Clinton administration's history of stonewalling, delay and obfuscation only add to the public perception that an independent counsel is needed to finally untangle the mess and find the truth."

California Stockton Record: "President Nixon had to resort to the infamous Saturday Night Massacre to get the Justice Department to his political bidding, and it ultimately failed. Reno's Justice Department is just rolling over and playing dead."

Washington Post: "The attitude of this White House toward the truth whenever it is in trouble is the same. Don't tell it, or tell only as much of it as you absolutely must, or as helps."

Washington Times: "There has been so much obstructionism in document and evidence production that only someone as naive as Attorney General Janet Reno could believe that it hasn't been intentional."

Kansas, Wichita Eagle: "Many Americans and most Republican lawmakers doubt whether Ms. Reno, a Clinton appointee, has conducted a thorough and honest investigation. And who can blame them?"

North Carolina, Winston-Salem Journal: "The lesson the White House keeps failing to learn is that any attempt at a cover-up usually makes matters worse."

This is overwhelming, from nearly every part of the country, and this is just a sampling, of liberal press for the most part, some conservatives, saying this is outrageous.

Mr. SHADEGG. Mr. Speaker, if the gentleman would yield, I commend the gentleman from Indiana for bringing that information forward. I must say as I stood here I was shocked to listen to that. I had no idea that the editorials across the country and the editorial page editors were that unanimous.

I do want to point out the significance of this particular point the gentleman is raising right now. In any free society, we can only survive if people, largely voluntarily, choose to comply with the law. That is, in a democracy, the success or failure of that democracy is dependent upon respect for the law and respect for the government that creates that law.

It seems to me that it is absolutely patently clear that Janet Reno is not only not doing her job and covering up and rolling over and playing dead, but most importantly, in not doing her job, in covering up, in rolling over and playing dead, in, for example, ruling as recently as this weekend that the Justice Department for the 18th time was going to refuse to open an investigation or authorize a special prosecutor for the President because he had done nothing wrong; moments, literally moments before the White House released these tapes, her conduct, I would suggest, is eating away at the most fundamental aspect of what our society depends upon, and that is faith and credit by the American people in the integrity of this government.

If she continues to cover up for him and to not be forthcoming and to not acknowledge the flagrant conflict of interest she has, and to refuse to recognize the evidence that is staring her in the face, she is helping to destroy the faith that the American people need to have in this government if we are to survive as a Nation.

Mr. SOUDER. Mr. Speaker, I wanted to talk about a couple of actual cases and refer to something else as people look at the opening statements today, and I want people to remember all of these editorials around the country and the universal outrage, and then watch the kind of creative excuses that people come up with here in Washington to defend why they are not speaking out. I believe that eventually we will have more and more Members on the other side, like there were Republicans, say, "I cannot defend this any more. This is too humiliating. This is undermining the core of our system."

Mr. HAYWORTH. Mr. Speaker, I thank my friend from Arizona for joining us here tonight, and the American people.

What my friend from Indiana has pointed out from newspapers, both lib-

eral and conservative, is tantamount to a litany of shame. What is even more compelling and even more difficult are some reports we hear that perhaps White House attorneys met with the Attorney General on Wednesday night, perhaps those people even had knowledge of those tapes and they did not share that knowledge with the Attorney General. Very, very disturbing and serious questions need to be answered.

I would simply point out to those who would wrap themselves in that rather infamous excuse of no controlling legal authority that yes, Mr. Speaker, there is a controlling legal authority. It is called the Constitution of the United States, which gives this body and the other body in the legislative branch oversight ability to check on allegations and to deal with these growing concerns, and it is the role of the people's House and the other body here in the Capitol to exercise that oversight, because our constitutional Republic and those who live in it can demand nothing less.

□ 2130

Mr. SOUDER. Reclaiming my time, Mr. Speaker, I had a series of pictures, but I want to use this to illustrate another point. This is a picture of the Vice President with Jorge Cabrera. I want to go through this case to illustrate that the things that we are going to hear tomorrow in our first House hearing are not isolated. There are so many that the Senate has already done, that we have pending, it is overwhelming.

I want to go through this case to illustrate several points. The Vice President has been a good student of President Clinton's in more ways than one in fundraising. He attended a fundraiser in Florida for 60 wealthy contributors. One of the attendees was Jorge Cabrera, a drug trafficker with links to a Colombian cartel, and Dr. Joseph Douze, a fugitive who once blew up a bridge. The host for the evening was Jerome "Jerry" Berlin. He was indicted in 1990 and later acquitted on Federal conspiracy charges of bribing public officials. One of the politicians allegedly targeted in that charge was Senator AL GORE, who prosecutors said did not know of the alleged plot.

One guest who paid the minimum \$10,000 cover charge said, maybe the reason I got to sit with the Vice President is I was the only honest person in the room. To be fair, a GORE spokeswoman pointed out that the Vice President was disappointed to learn that his picture had been taken with a longtime drug dealer. This is my favorite quote so far of the whole investigation. "He never wants to be associated with people who break the law." That probably makes for real interesting cabinet meetings.

Some of the same donors at the fundraiser later received personal greetings

from President Clinton and the First Lady. Only days later the Cali-connected Cabrera was sipping eggnog at the White House at a Christmas party. Cabrera, who gave \$20,000 to the DNC, was later sentenced to 19 years in prison for helping to import 6,000 pounds of Colombian cocaine. He was indicted, mind you, when he was going to all of these fundraisers.

At the time of the Gore fundraising and the White House visit, he had already been arrested twice on drug charges in the eighties, and pleaded guilty to nine drug-related charges. Court papers said that by 1995 he was deeply involved with the Cali Colombian drug cartel, the largest in the world.

Ross Perot put it nicely: I never thought I would live to see a major drug dealer give \$20,000 bucks in Florida, and then be invited to a big Democratic reception by the Vice President of the United States, AL GORE, and then be invited to the White House for a reception. An invitation to the White House Christmas party was also sent to Dr. Douze, who the government had confiscated his passport, another branch of the government had taken his passport, yet this man was at the Christmas party, and they restricted his travel after his arrest on 11 counts of Federal mail fraud and conspiracy. The Federal judge denied his request to leave the area to visit the White House, but Douze, who was arrested in 1988 for blowing up a bridge in Haiti, received the judge's permission to visit his dying mother in Haiti a few weeks after the Gore fundraiser. He has not returned from Haiti since. How does this happen? They let it.

Rule number one is follow the current law. The moral equivalency crowd is saying everybody does it. No, not everybody does. Everybody does not take pictures with drug dealers who have already been convicted or fugitives or swindlers. This happens when cash and contributions guide, and as I said at the beginning, when your driving force is you have to have money to hold your power, and your goal is to get power in Washington, and then you start chasing the almighty dollar, pretty soon you make mistakes like this.

What we are going to see in the hearing, in the opening statements today, as one Member of Congress said, we are applying guilt by showing fuzzy pictures, because this makes the Vice President look seedy and this Cali cartel person look seedy.

Do Members know what? If I call up Vice President GORE and say, will you give me a fresh color picture of you posing with that member of the Cali Colombian cartel, I do not think he is going to give it to me. The only way I can get a picture is to get it out of a newspaper.

I did not deliberately make this picture fuzzy, just like we do not make

the pictures at our committee fuzzy. But the White House does not want to give us pictures of them posing with John Huang. They do not even want to have videotapes with audio on them being with John Huang. They do not want to give us pictures with John Chung. They do not want to give us pictures with the swindler who bilked new Americans coming into our country in one of the biggest credit card scams.

So the picture tends to be a little fuzzy. But Members know what? Part of the problem here is not that we are making them look like violators of the law, they are. If you pose with drug dealers, there is not a whole lot you can do to clean up the picture, because you are posing with a drug dealer. It is particularly disappointing that in the background checks of this administration, that they have been so sloppy in doing that.

I hope that Members will watch as we go through the hearing process and as we try to bring some of these points out. This is very difficult. I realize a lot of people think it is partisan, but our democracy is at stake. If money can buy this much influence across the board, if agencies can be corrupted, if our national security can be at risk, that is what we are trying to find out. If we do not find it, the President will get off free. If we do not find it, the Vice President will be fine.

But our job as Members of the United States Congress is to look into what appears to be repeated across-the-board types of that, and we need the White House to start cooperating and the Attorney General to start cooperating.

I agreed to lend the last few minutes of this special order time to my friend, the gentleman from Arizona [Mr. SHADEGG]. I want to thank the gentleman from Arizona [Mr. HAYWORTH], too, for his great efforts, not only tonight but at other times, because there is another matter pending right now in conference committee on national testing, and earlier tonight the gentleman from Arizona [Mr. HAYWORTH] and I were talking about education, as well as some of the Democratic Members. I thought that might be a fitting way to close here, too.

EDUCATION AND NATIONAL TESTING IN AMERICA

Mr. SHADEGG. Mr. Speaker, I thank the gentleman very much for yielding to me. This is in fact a very important topic and a very timely topic. Indeed, the gentleman was just talking about how the campaign fundraising scandals are sadly partisan. This is one on which I would hope we could be mutually bipartisan. In fact, on the floor of this House within the last few weeks we voted, 290-plus Members voted to oppose national Federal school testing as proposed by President Clinton, a national test.

The Senate went a different route, and the Senate has proposed that we

should allow national testing, but rather than allow the Federal Department of Education to write that test, they would be comfortable with letting what they claim is an independent body write the test.

In point of fact, when we last discussed this issue on the floor, my colleague from Indiana pointed out quite accurately that that so-called independent body would not in fact be independent, but would consist of people appointed by the President, be totally administration-dominated, and not be independent.

I have a passion about this issue, because I think it is one where many Americans, mainstream middle-class Americans, do not understand why some of us would be so vehemently opposed to testing; why we would stake out such a tough fight on this issue; why, indeed, we believe that if the provision in our bill that says there should be no national testing gets stripped, we are willing to fight, and fight, quite frankly to the death to put it back in.

But let me explain that. I am holding a series of columns which I want to mention tonight. This one, "National Exams Provide Few Benefits for Students," is written by Mark F. Bernstein. I do not know Mr. Bernstein, but he lays the first premise of this fight. He says, point blank, in a very bright and elucidating article, what is tested will be taught. Think of that. What is tested will be taught. That is the first plank in this argument.

The President has not come forward and said, I want to have a national curriculum or national standards. The reality is that if we have a national test written by the Federal Government in the Federal Department of Education, what is in that test will be taught to my daughter, Courtney, and to my son, Stephen, in Phoenix, AZ.

So once we get to that point, we have to say to ourselves, wow, the content of that test then becomes vitally important, because Courtney's teacher will want Courtney to know what is going to be on that test and she will teach it. And Stephen's teacher will want Stephen to know what they are going to test, and that teacher will teach Stephen the information in that test. So what is tested will be taught.

Why should we be concerned about that? Well, many people say these are controversial topics, and some of these articles we have here tonight talk about the fact that when the Federal Government, for example, proposed history standards, those history standards were not what you and I would think about history. They painted a grim and gloomy view of America, of American and western civilization, ignoring many of our heroes and accomplishments and emphasizing our failings.

When the Federal Government proposed English and language art stand-

ards, they were so bad and considered such a muddle that the Clinton Department of Education threw them out. So the President came in and said, well, we will not test history, because that is subjective, and we will not test English and language, we will test math and science. Who can object to a uniform standard? How can my Arizonans oppose that?

The sad truth is as Lynne Cheney detailed in an article in the Wall Street Journal on September 29, there are national experts who believe that we should never teach children simple mathematics skills. Indeed, the expert is a man by the name of Steven Leinwand. He sits on President Clinton's committee to do this.

He says, it is downright dangerous to teach children mathematics skills. He wants to test my child on a national test so I can compare my children's performance to those of the children in New Jersey, but he says we should not teach them basic math skills. This is a battle which is going forward soon.

Lynne Cheney wrote another article, "The Latest Education Disaster, Whole Math." That is the kind of math where you do not teach children math skills such as addition, subtraction, multiplication, and division. Marianne Jennings wrote an article, "MTV Math Doesn't Add Up," pointing out how bad this is.

National testing is a potential disaster for the Nation because it would set one standard driven by the Federal Department of Education, and it is a standard that I think we ought to all be concerned about. I trust the people in Arizona, the Arizona education department, and the experts at my children's school board to make the right decisions about what we need to learn. National testing is scary and dangerous.

I urge America to listen up to this debate, and to join us in opposing the President, who may have a well-intended idea but an idea which would be disastrous.

FOOD SAFETY AND FAST-TRACK AUTHORITY FOR TRADE AGREEMENTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan [Mr. STUPAK] is recognized for 60 minutes.

LET US GET ON WITH REAL CAMPAIGN FINANCE REFORM

Mr. STUPAK. Mr. Speaker, I appreciate the opportunity to address the House and the country tonight. I could not help but overhear my colleagues who are talking about campaign finance, and the evilness they see about that. But I think it is time for us to stop talking about it and really get on with it.

We have a number of pieces of campaign finance legislation. I think we all

know what the problems are with campaign finance, and we should really go at it and bring those bills to the House floor and actually address it. I think maybe this country and the integrity of this body could be better served in that manner and method.

I find it ironic that they would get up and rail about campaign finance, while it was the majority party here that caught a plane about 4 o'clock in the afternoon and takes corporate jets to go up to New York to raise funds. I think that is the soft money that causes problems in campaigns, and we have some bills like McCain-Feingold and the Shays-Meehan bill here in the U.S. House of Representatives, and I wish we could get at it. We all know what the problem is. Let us cut the rhetoric and get on with the business of campaign finance. Unfortunately, that does not appear to be what is going to happen with majority party in control here in this Congress.

What I do want to talk about is something that is coming forward, something that should be discussed openly, and I hope that the American public joins with me. That is on food safety.

I sit on the Committee on Commerce, the Subcommittee on Health and Environment. We have been devoting some time there to the outbreak of E. coli and other problems throughout this country of our food supply. There is no greater security that a family can provide or the providers of that family provide for young people but to make sure that the food they serve each night is safe for their family's security.

Unfortunately, what we have seen here in the last few years in the U.S. Congress and across this Nation is that the food coming into this country, we have more and more imports of food coming into this country, and the safety of that food has been very questionable, to say the least.

What brings this issue to a head is recently the President came about 3 weeks ago to the Democratic Caucus and presented his legislation to outline his fast-track authority. Fast-track authority, of course, is to allow the President and his negotiators to enter into trade agreements. The trade agreements would then come before the U.S. Senate and the U.S. House of Representatives, and we do not have the opportunity to change, amend, or alter those trade agreements.

In those trade agreements, when we take a look, we can see many difficulties have developed in recent years. This new fast-track authority that the President is requesting is to actually increase our trade with the Caribbean nations and South American countries.

While that is admirable and something we would all like to do, we must ask ourselves, why are we increasing trade at this point in time when our economy is doing so well, and what is

the rush to enter into another trade agreement, especially when we take a look at it, and the trade deficit in this country is so high, and every year it continues to go up?

Every President, be it Democrat or Republican, has come to the White House and has said, we are going to cut down on this trade deficit. Well, it has never happened. We have had fast-track legislation for the past five Presidents. That includes President Clinton, President Bush, President Reagan, President Carter, President Ford, and the trade deficit continues to spiral out of control.

Our economy is doing so well, but yet we seem to be in this hurry to fast-track into another trade agreement. We must ask ourselves, why are we doing this? Why are we doing this? What is the rush to enter into another trade agreement? What is the rush to enter into another trade deficit that continues to go up?

When I came to Congress in 1993, January 1993, the issue then was the budget deficit. We have basically erased that budget deficit, but the other deficit, the trade deficit, continues to go up.

□ 2145

Our economy is growing, more jobs ever in this country, yet our trade deficit continues to spiral out of control.

So what is the rush to give the President more authority, authority to actually enter into more trade agreements which would actually lower our standards here in the United States, especially when we deal with food safety?

Mr. Speaker, that is where I would like to direct my comments here tonight. What is the rush to lower our standards, especially when it comes to food safety?

When I say lowering standards, understand the safety and security of our Nation's food supply has recently been in the news because of the contamination at the Hudson plant in Nebraska. And recently we had Beef America we have seen splash across our screens about E. coli.

If we take the Hudson plant situation in Nebraska, over 20 million pounds of beef was recalled by the company when it was determined that some of the meat was contaminated with the deadly E. coli virus. In response, Secretary of Agriculture Glickman wants more authority to inspect and take action against meat and poultry factories. I think that is probably a step in the right direction.

But at the same time the administration is saying to us, let us increase and give us more authority to inspect and recall meat here in this country, why is the administration then proposing to weaken inspection standards of our supply of food coming into this country by opening up our borders to more and more imported foods? Our border can-

not keep up with the increased flow of traffic.

In fact, if we take a look at what has happened to food safety and food inspection in this country since the passage of NAFTA, and I am going to look at NAFTA here tonight because that is the real trade agreement that came under fast-track authority, it came up in 1993, and if we take a look at 1993, here we are 4 years later, Mexican imports to the U.S. are up by 82 percent and nearly 70 percent of those imports are carried into the United States on trucks.

Mr. Speaker, how many do we actually inspect? Let me comment briefly that while the food imports have doubled now in the last 4 years to more than 2.2 million shipments a year, and if we take a look at it, that comes out to about 9,000 trucks per day, 70 percent of those trucks are carrying some type of food products, yet only 2 percent are actually inspected at border.

Yet under this new fast-track authority, the President is saying, let us allow more and more food to come into this country. The trade deficit goes up, our inspection, our food safety, continues to go down. Imports are up, less inspections are taking place, and we have more problems with food safety here in this country.

If we take a look at what has happened, the increased traffic has caused great outbreaks of disease in the United States. After the passage of NAFTA in 1993, the rate of hepatitis A in the border regions rose two to five times greater than the national average.

In Maverick County, TX, the rate of hepatitis A has doubled from 5.3 in 1993 to over 10 times the State average in 1994. That also is true in Webb County, where the rate of hepatitis A has nearly tripled, and in El Paso County and Cameron County the rate has nearly doubled. But yet we are asking, under the fast-track legislation, to allow more and more food to come into the country.

While we are having more food come in the country, what has happened to food inspection here in the United States? If we take a look at the records, and again I sit on the Subcommittee on Health and Environment, and this is some of the information made available to us.

Mr. Speaker, take the U.S. domestic food supply. In 1981, we conducted on the domestic food supply in this country 21,000 inspections. In 1996, how many inspections did we have? We had just 5,000. Why did we go from 21,000 to 5,000? We are not even keeping up with the food being processed here in the United States, yet foreign food imports have doubled in the last 4 years. So while we have more food being processed in the United States, doubling the food coming into the United States, inspections are down six times what they were in 1981.

Is it any wonder then that our food supply has been under real, constant attack by pathogens previously unknown, and like cyclospora that was found in the Guatemalan raspberries that came in earlier this year that sickened some 1,400 Americans? We did not know about those pathogens a few years ago, but now we are finding they are in our food supply. Whether they are Guatemalan raspberries or melons or carrots or lettuce, we are finding them and finding health problems associated with it, but we have less and less inspections here in the United States or in other countries. And again, the food coming into this country from foreign countries has actually doubled.

So the President recently, and I will give him some credit, he took a good first step in trying to say, what can we do to help out and make sure that the food produced in other countries, fruits and vegetables especially, meet the U.S. standards, meet certain safety standards? And what the President suggested was a \$24 million program which would help to increase inspections in foreign countries at the farm level, and also U.S. farmers would also face some new sanitation guidelines.

Well, the problem with that is, and if I can go to my home State of Michigan, earlier this year we had strawberries come in the United States from I believe it to be Mexico, that were tainted, and they were only 1 or 2 percent of those strawberries that were tainted with the hepatitis A bacteria, and they were put in with a bigger shipment of strawberries, and they were distributed to schoolchildren throughout this country.

In my home State of Michigan, approximately 140 children were very, very sick. While we only had 1 or 2 percent, it was mixed with a clean batch, and young children all across this country, 140 in my own State of Michigan, got very, very sick.

So while we may inspect on the farm in Mexico or Guatemala, once it is put into a wholesaler and distributor and mixed in with clean fruit and it comes to this border, we are only inspecting 2 percent of the some 9,000 trucks entering the country each day. We are only inspecting 2 percent. We can see how healthy good, safe fruits or vegetables mixed in with bad, because we do not catch it all, can cause a serious outbreak throughout this country.

When I talk about serious outbreaks and food standards, I am talking about making sure that the irrigation water is clean, that there are lavatories, latrines out in the field, field latrines for the berry pickers, and make sure that they are taught to wash their hands, make sure that the water they use that they put on our fruits and vegetables is actually clean water and not already contaminated.

While we have to comply with those standards here in the United States, we

cannot, under fast-track agreements or trade agreements, enforce them on other countries because then it becomes a condition or tariff or barrier to free trade.

If we look closely at chapter 7 and chapter 9 of the NAFTA agreement that was passed in 1993, many of those provisions were very weak in chapter 7 and 9 about inspection and what we can and cannot inspect and look for at the border. When we do that, what do we do? We lower our standards.

While we have the world's healthiest food in the food we place before our family each night, we have some assurance, because it is inspected by U.S. inspectors, that it is relatively free of anything that may harm us, we have found that under these fast-track agreements it has prevented our ability, our ability to make sure that the food we put on our table each night is safe.

Let us take a look back, and, again, on the committee I sit on, we received a report in May of 1997 from the General Accounting Office which released a study of the Animal Plant Health and Inspection Service and their efforts to minimize the risk from agricultural products which we may put on our table.

The GAO reported that the NAFTA and the political muscle from importers had put pressure on their agency, their service, to carry out increased inspections more quickly. And, as I said, almost 9,000 trucks per day enter the U.S., but only 1 or 2 percent are actually inspected.

If we look at it, because of staff shortage, one work unit along the U.S.-Mexican border can provide inspector coverage at a very busy area only 8 hours in a 24-hour day. So the port inspections have not been there. Increased inspections, of course, would only help to prevent the problems we are seeing throughout this country with food safety and food health problems.

Mr. Speaker, earlier, about 2 weeks ago, the gentleman from Ohio (Mr. Brown) and I wrote a letter to the President, and we had almost one-fourth of the Members of this House join in that letter. We said we are very concerned about the lack of inspection processes, that NAFTA has contributed to a sharp increase in food imports from Mexico, and the imports of Mexican fruit have increased 45 percent, vegetable imports have risen 31 percent. More than 30 percent of these imports are carried in the U.S. on trucks, but yet we find 1 or 2 percent of these trucks are being inspected.

The provisions of NAFTA, and we have to look at NAFTA because that is the only free trade agreement we have to base decisions on, and the new fast-track that the President has requested will take in South America and Latin American countries. And when we took

a look at NAFTA, it has resulted in the imports of fruits and vegetables which have been contaminated with diseases and unhealthy pesticides.

We are alarmed that Michigan schoolchildren contacted hepatitis A from strawberries, and in order to prevent future incidents, we urged the President to do three things:

Number one, renegotiate the provisions of NAFTA which relate to border inspections and food safety and ensure that any future requests, this current request for fast-track authority, include strong food safety protections.

We wanted to increase the funding for border inspections or, in the alternative, if he cannot do that, limit the increasing rate of food imports coming into this country to ensure safe food supplies.

And last but not least, we asked that he begin an aggressive program to label all foodstuffs, I am talking about fresh and frozen fruits, vegetables and meats, and their country of origin, so the American consumer, before they pick that batch of carrots or the head of lettuce, that they know if it was grown in the United States or if it was grown in Chile or if it was grown in Mexico, and then the consumer makes the decision, what is best for themselves and their family.

We look forward to working with the President on these vital public health issues. What we are saying is, let us not lower our standards as we enter into these fast-track agreements.

There are many reasons probably to oppose fast-track. It could be because of environmental standards, it could be because of labor standards, but I think most importantly it is because of food safety standards.

It was interesting today in the Committee on Ways and Means, which was the first committee to actually look at the President's fast-track authority. I was speaking to the Members after the vote. They reported out the President's fast-track authority in a weak vote. It did not contain strong provisions for food safety. It did not attempt in any way or shape to renegotiate fast-track with the NAFTA agreement, the North American Free Trade Agreement, which related to border inspections of food safety. It did not have strong food safety protections. It did not increase any funding for border inspections. And it certainly did not contain any food labeling program.

When we look at that and the report on how the vote came out in the Committee on Ways and Means tonight, we will find it a weak vote. A very small majority of the committee reported out the fast-track legislation.

So, Mr. Speaker, as we begin consideration of this fast-track legislation, I would hope that Members of Congress would take a very, very close look at it. This is not a trade issue. It is really a safety issue. Can we provide for our

families safe, reliable food? Do we have the inspectors to do the job? Can we assure that the fruit or vegetables or meat or poultry coming into this country have been certified, have been inspected? Have the hands, the human hands that handled it, whether it is in the United States or whether it is in another country, have they used proper sanitation practices? Has the water that has been used for irrigation, has it been clean, fresh water?

These are the questions we must all ask ourselves, or we will have more and more *E. coli* bacteria, cyclospora, or even *E. coli* contamination.

Mr. Speaker, this is, again, not a trade issue, this is really a safety issue. We urge the President, before he comes and once again asks Members of Congress to approve fast-track, which is a broad trade negotiating authority, that he make sure that those three provisions we have asked for, labeling, food inspection, and make sure we have agreement that does not limit our right to inspect as chapter 7 and chapter 9 of NAFTA does.

□ 2200

We want to make sure that we have every guarantee for the American family. I do not know why we would want to compromise our strong food safety standards in this country to increase trade with other countries. Our economy is doing well. Our trade deficit continues to go up. We must get that under control. Let us not fast track this Nation's health and our children's health for another fast track agreement.

When we take a look at it, I find it really sort of ironic that at a time when the administration is pushing for more regulation of meats and poultry and continues to raise concerns about pesticide safety in this country, those who want fast track extended to other countries want to make it easier for unsafe food to enter into this country.

I find it amazing that when one goes on vacation, if one is from the north land, like I am from northern Michigan, one goes down to maybe the Caribbean or other parts to vacation during the long winter months, what do they say? Do not eat this; do not drink that. But yet that same food is going to come into this country without any kind of label or knowledge.

How do we then guarantee our family's health and safety, especially when we find that back in 1981 we used to make 21,000 inspections. Last year we only made 5,000 inspections. Yet the food coming into this country over the last four years has doubled. Less inspectors, twice as much food coming in, but there is no mechanism to do the inspection.

We certainly hope that as we begin this debate on fast track legislation, that the debate will be on its merits, that we will look at the inspection of

not only U.S. domestic food supply but most certainly the food supply that is coming into this country from foreign countries. As I said, imports have doubled to over 2.2 million shipments per year, and we have to have more than just a 2 percent inspection.

The FDA certainly has been pushing for changes since 1993, but unfortunately we have not kept pace with America's food supply. That is why we see the outbreaks of things like cyclospora or *E. coli* or hepatitis A throughout this country. They say, well, it is just along the border of Texas. But I live in Michigan, and when we have 130 to 140 children ill because of strawberries and we have reasons to believe it came from Mexico, a tainted batch, but yet they can make it all the way to Michigan, we know it is a national issue.

So while trade agreements and the standards are something we should all look at, by "standards" I just mean our own standards in this country, before we allow other products, especially food from other nations, into this country, they must meet our standards. I think that is only fair.

I think it was only a year ago when the administration was very concerned about CDs, compact discs, and how they were ready to have a trade war with China because they did not honor our intellectual property rights on things like CDs. What about our health and safety rights on things like food, food safety, fruits, vegetables, meats, poultry? So while there may be many reasons, and we hear many reasons to oppose fast track authority, or at least fast track agreements where the U.S. Congress does not have the right to alter, amend or change, when the agreement comes here we must vote yes or no with no amendments, we always hear about labor standards. We hear about environmental standards. But how about consumer protection? How about food safety? How about the safety of the American family?

So I would urge my colleagues, as we begin this debate, as I said, the Committee on Ways and Means has recommended that the bill be considered by the full House, that we have a debate, a debate on the food standards, what has happened, what is happening throughout this country with *E. coli*, with hepatitis A and many of the other pathogens that we did not know about a few years ago which contaminate our food sources. What are the chemicals that other countries use on their fruits and vegetables as they grow them? DDT is one of them used in Mexico that has been outlawed for many years in this country.

Those are the questions that we must ask. So I come to the floor tonight to offer my hand to extend to the administration to assist them as we debate these issues, and at the same time I hope I bring awareness to the other

Members who are maybe listening in their office or to constituents throughout this country that they raise the same issues that I am raising here tonight. I do not have all the answers. But if we work together in a collective way, we can guarantee that the fast track agreement has the protections, that we do not lower our standards for food safety, for the health and security of our families.

OMITTED FROM THE CONGRESSIONAL RECORD OF THURSDAY, SEPTEMBER 18, 1997

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 910.—To authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SNYDER) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.
(The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:)

Mr. JONES, for 5 minutes, on October 9.

Mrs. LINDA SMITH of Washington, for 5 minutes, today and October 9.

Mr. FOX of Pennsylvania, for 5 minutes, today.

Mr. DELAY, for 5 minutes, today.

Mr. ENGLISH of Pennsylvania, for 5 minutes, on October 9.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. PICKERING, for 5 minutes, today.
Mr. BACHUS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SNYDER) and to include extraneous matter:)

Mr. FORD.
Mr. LIPINSKI.
Mr. KUCINICH.

Mr. FRANK of Massachusetts.
 Mr. HAMILTON.
 Mr. BONIOR.
 Mr. SKELTON.
 Ms. ROYBAL-ALLARD.
 Mr. TOWNS.
 Mr. HOYER.
 Mr. DELLUMS.
 Ms. FURSE.
 Mr. STARK.
 Mr. MATSUI.
 Mr. KIND.
 Mr. BARCIA.
 Mr. VISCLOSKEY.

(The following Members (at the request of Mr. PAUL) and to include extraneous matter:)

Mr. GILMAN.
 Mr. GALLEGLY.
 Mr. NEY.
 Mr. SOLOMON.
 Mr. DREIER.
 Mr. GOODLING.
 Mr. OXLEY.
 Mr. YOUNG of Alaska.
 Mr. LIVINGSTON.
 Mr. SAM JOHNSON of Texas.
 Mr. MANZULLO.

(The following Members (at the request of Mr. STUPAK) and to include extraneous matter:)

Mr. GINGRICH.
 Mr. EVANS.
 Mr. WEYGAND.
 Mr. FARR of California.
 Mr. REYES.
 Mr. BENTSEN.
 Mr. KILDEE.
 Mr. BOB SCHAFER of Colorado.
 Mr. BURTON of Indiana.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1122. An act to amend title 18, United States Code, to ban partial-birth abortions.

H.J. Res. 75. Joint resolution to confer status as an honorary veteran of the United States Armed Forces on Leslie Townes (Bob) Hope.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1000. An act to designate the United States courthouse at 500 State Avenue in Kansas City, Kansas, as the "Robert J. Dole United States Courthouse."

ADJOURNMENT

Mr. STUPAK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 5 minutes p.m.), under its previous order, the

House adjourned until tomorrow, Thursday, October 9, 1997, at 9:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5409. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Developing Software Life Cycle Processes for Digital Computer Software Used in Safety Systems of Nuclear Power Plants [Regulatory Guide 1.173] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5410. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Software Requirements Specifications for Digital Computer Software Used in Safety Systems of Nuclear Power Plants [Regulatory Guide 1.172] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5411. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Software Unit Testing for Digital Computer Software Used in Safety Systems of Nuclear Power Plants [Regulatory Guide 1.171] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5412. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Software Test Documentation for Digital Computer Software Used in Safety Systems of Nuclear Power Plants [Regulatory Guide 1.170] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5413. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Configuration Management Plans for Digital Computer Software Used in Safety Systems of Nuclear Power Plants [Regulatory Guide 1.169] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5414. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Verification, Validation, Reviews, and Audits for Digital Computer Software Used in Safety Systems of Nuclear Power Plants [Regulatory Guide 1.168] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5415. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Abolishment of the Orlando, Florida, Appropriated Fund Wage Area (RIN: 3206-A104) received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5416. A letter from the Chairman, Board of Directors, Tennessee Valley Authority, transmitting the Authority's strategic plan covering fiscal years 1997 through 2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5417. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of

the Exclusive Economic Zone Off Alaska; Pollock in the Offshore Component in the Bering Sea Subarea [Docket No. 961107312-7021-02; I.D. 100197D] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5418. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Ohio Regulatory Program [OH-241; Amendment Number 74] received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5419. A letter from the General Counsel, Department of Justice, transmitting the Department's final rule—Suspension of Deportation and Cancellation of Removal [EOIR No. 1181; AG ORDER No. 2118-97] (RIN: 1125-AA19) received October 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LINDER: Committee on Rules. House Resolution 263. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105-314). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 264. Resolution providing for consideration of the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105-315). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1849. A bill to establish the Oklahoma City National Memorial as a unit of the National Park System, to designate the Oklahoma City Memorial Trust, and for other purposes; with an amendment (Rept. 105-316). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LANTOS (for himself, Mrs. MORELLA, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mr. OBERSTAR, Mr. SABO, Mr. SERRANO, Ms. FURSE, Mr. SANDERS, and Mr. MEEHAN):

H.R. 2635. A bill to provide a process for declassifying on an expedited basis certain documents relating to human rights abuses in Guatemala and Honduras; to the Committee on Government Reform and Oversight.

By Mr. BUYER:
 H.R. 2636. A bill to provide for the acceptance of an application for payments for fiscal year 1996 under the Impact Aid program from the Maconaquah School Corporation, Bunker Hill, Indiana, and to provide that data included in that application be used for purposes of determining payments for fiscal year 1997 under a related Department of Defense assistance program; to the Committee

on Education and the Workforce, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTLE:

H.R. 2637. A bill to provide for the minting and circulation of \$1 coins, and for other purposes; to the Committee on Banking and Financial Services.

By Mrs. MINK of Hawaii:

H.R. 2638. A bill to permit lawfully admitted permanent resident aliens who are not less than 80 years of age and who reside in the United States continuously for not less than 50 years to receive food stamp benefits if such individuals are otherwise eligible under the Food Stamp Act of 1977 to receive such benefits; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURTHA (for himself, Mr. ACKERMAN, Mr. MORAN of Virginia, and Mr. LEACH):

H.R. 2639. A bill to amend the Balanced Budget Act of 1997 to provide for prostate cancer screening benefits as of January 1, 1998; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself and Mrs. THURMAN):

H.R. 2640. A bill to amend title XVIII of the Social Security Act to combat fraud and abuse under the Medicare Program with respect to partial hospitalization services; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK:

H.R. 2641. A bill to direct the Commandant of the Coast Guard to convey certain property in Sault Sainte Marie, Michigan, to the local American Legion Post; to the Committee on Transportation and Infrastructure.

By Mr. VISCLOSKEY (for himself, Mr. LIPINSKI, Mr. JACKSON, and Mr. SANDERS):

H.R. 2642. A bill to amend the Internal Revenue Code of 1986 to clarify the standards for determining whether an employer-employee relationship exists; to the Committee on Ways and Means.

By Mr. ARMEY:

H. Con. Res. 169. Concurrent resolution providing for an adjournment of the two Houses; considered and agreed to.

Mr. LAMPSON introduced A bill (H.R. 2643) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel M/V SAND ISLAND; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 146: Mr. GIBBONS.
H.R. 292: Mr. BURTON of Indiana.
H.R. 335: Mr. MICA.
H.R. 339: Mr. GOODLING.
H.R. 367: Mr. BARRETT of Nebraska.
H.R. 588: Mr. ENGLISH of Pennsylvania.
H.R. 591: Ms. SLAUGHTER.
H.R. 715: Mr. DeFAZIO.
H.R. 777: Mr. FOX of Pennsylvania and Mr. GEJDENSON.
H.R. 789: Mr. ROHRBACHER and Mr. KASICH.
H.R. 814: Mr. GUTIERREZ and Mrs. MALONEY of New York.
H.R. 857: Mr. BARCIA of Michigan.
H.R. 859: Mr. CHAMBLISS.
H.R. 900: Mr. MOAKLEY.
H.R. 915: Mr. PAYNE, Mr. WEYGAND, Mr. KING of New York, Mr. ADAM SMITH of Washington, and Mrs. JOHNSON of Connecticut.
H.R. 965: Mr. GINGRISH, Mr. ARMEY, and Mr. ROYCE.
H.R. 991: Mr. ADAM SMITH of Washington.
H.R. 1023: Mr. GOODLING and Mr. DUNCAN.
H.R. 1025: Mr. WAXMAN.
H.R. 1031: Mr. SESSIONS.
H.R. 1059: Mr. CALVERT.
H.R. 1061: Mr. LEWIS of Georgia.
H.R. 1114: Ms. KAPTUR, Mr. COOKSEY, Mr. THORNBERRY, Mr. LAHOOD, and Mr. TALENT.
H.R. 1151: Mr. CUNNINGHAM.
H.R. 1202: Mr. SMITH of New Jersey, Mr. CLYBURN, Mr. GUTIERREZ, and Mr. FRANKS of New Jersey.
H.R. 1232: Ms. HOOLEY of Oregon, Mr. HINCHAY, and Mr. EVERETT.
H.R. 1234: Mr. JACKSON, and Mr. CUMMINGS.
H.R. 1288: Mr. MALONEY of Connecticut.
H.R. 1362: Mr. SUNUNU.
H.R. 1373: Mr. CUMMINGS.
H.R. 1383: Mr. KUCINICH.
H.R. 1425: Mr. MILLER of California, Mr. SERRANO, Mr. NEAL of Massachusetts, and Ms. KILPATRICK.
H.R. 1526: Mr. SNOWBARGER.
H.R. 1534: Mr. SHUSTER.
H.R. 1714: Mr. LEWIS of Georgia and Mr. DEAL of Georgia.
H.R. 1800: Mr. NUSSLE and Mr. PAXON.
H.R. 1807: Mr. SANDLIN, Mr. FOLEY, Mr. FALEOMAVAEGA, Mrs. LOWEY, Mr. LEWIS of Georgia, and Mr. DAVIS of Illinois.
H.R. 2023: Mr. BONIOR.
H.R. 2067: Mr. ROEMER and Ms. KILPATRICK.
H.R. 2088: Mrs. MCCARTHY of New York.
H.R. 2116: Mrs. ROUKEMA.
H.R. 2340: Mr. SENSENBRENNER.
H.R. 2347: Mr. MARTINEZ and Mr. ROTHMAN.
H.R. 2377: Mr. FAZIO of California, Mr. JOHN, Mr. BLUMENAUER, Mr. GILLMOR, and Mr. BURR of North Carolina.
H.R. 2431: Mr. FRANK of Massachusetts, Mr. CRAPO, Mr. BAKER, Mr. BARCIA of Michigan, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BACHUS, Mr. BOEHLERT, Mr. BUNNING of Kentucky, Mr. BURTON of Indiana, Mr. CANADY of Florida, Mr. COBURN, Mr. COX of California, Mr. DIAZ-BALART, Mr.

DOOLITTLE, Mrs. EMERSON, Mr. ETHERIDGE, Mr. EVANS, Mr. FARR of California, Mr. FOLEY, Ms. FURSE, Mr. GOODE, Mr. GOODLING, Mr. HALL of Texas, Mr. HEFLEY, Mr. HOEKSTRA, Mr. HORN, Mr. HUNTER, Mr. INGLIS of South Carolina, Mr. KENNEDY of Rhode Island, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Ms. LOFGREN, Mr. LUCAS of Oklahoma, Mr. MARKEY, Mr. MCINTOSH, Mr. MILLER of Florida, Mr. MILLER of California, Mr. PAPPAS, Mr. REDMOND, Mr. RUSH, Mr. SENSENBRENNER, Ms. SANCHEZ, Mr. SCARBOROUGH, Mr. SCHIFF, Mrs. LINDA SMITH of Washington, Mr. SOLOMON, Mr. SOUDER, Mr. SPENCE, Mr. STARK, Mr. STRICKLAND, Mr. TALENT, Mr. TORRES, Mr. TURNER, Mr. WICKER, Mr. UNDERWOOD, Mr. UPTON, and Mr. YATES.

H.R. 2439: Mr. LOBIONDO, Mr. COBLE, Mr. BARRETT of Wisconsin, Mr. KILDEE, Mr. BARRETT of Nebraska, Mr. WAMP, Mr. MINGE, Mr. BALLENGER, Mr. FRANK of Massachusetts, Mr. PARKER, Mr. GILCHREST, Mr. McHALE, Mr. POSHARD, Mr. SOUDER, Ms. PRYCE of Ohio, and Mr. SHAYS.

H.R. 2454: Mr. UNDERWOOD, Mr. GUTIERREZ, Mr. HILLIARD, Mr. POSHARD, and Mr. BROWN of California.

H.R. 2456: Mr. BARCIA of Michigan, Mr. GOODE, Mr. HALL of Texas, Mr. MORAN of Virginia, Mr. GILLMOR, Mr. SMITH of Oregon, and Mrs. MORELLA.

H.R. 2457: Mr. HILLIARD, Mr. POSHARD, and Mr. BROWN of California.

H.R. 2474: Mr. BUNNING of Kentucky and Mr. LAHOOD.

H.R. 2476: Mr. CLEMENT and Mr. FALEOMAVAEGA.

H.R. 2495: Mr. TURNER, Mr. BROWN of Ohio, and Mr. ENGEL.

H.R. 2519: Mr. WEYGAND and Mr. FALEOMAVAEGA.

H.R. 2524: Mr. GORDON.

H.R. 2563: Mr. BUNNING of Kentucky.

H.R. 2568: Mr. MINGE and Mr. MANZULLO.

H.R. 2588: Mr. SHERMAN, Mr. METCALF, Mr. ORTIZ, and Mr. CAPPS.

H.R. 2597: Ms. LOFGREN and Ms. VELAQUEZ.

H.R. 2602: Ms. LOFGREN and Mr. MANTON.

H.R. 2604: Mr. BARTLETT of Maryland, Mr. HOBSON, Mr. PARKER, Mr. ABERCROMBIE, Mr. HEFNER, Mr. CALLAHAN, Mr. FARR of California, Mr. GILCHREST, Mr. McDADE, and Mr. EVERETT.

H.R. 2616: Mr. ROEMER.

H.R. 2631: Mr. HILL, Mrs. FOWLER, Mr. COOK, Mr. McHUGH, Mr. TIAHRT, Mr. LEWIS of Kentucky, Mr. MCINTYRE, Mr. BATEMAN, and Mr. WHITFIELD.

H.J. Res. 89: Mr. SKAGGS, Mr. OLVER, and Mr. SAWYER.

H. Con. Res. 19: Ms. FURSE.

H. Con. Res. 65: Mr. GILLMOR and Ms. DeGETTE.

H. Con. Res. 80: Mr. WISE, Mr. COBURN, Mr. BURTON of Indiana, Mr. HULSHOF, and Mr. GOODLING.

H. Con. Res. 107: Mr. KUCINICH, Ms. LOFGREN, Mr. OBEY, and Mr. HOLDEN.

H. Con. Res. 130: Mr. ROYCE, Mr. MENENDEZ, and Mr. PAYNE.

H. Con. Res. 153: Mr. LAZIO of New York.

H. Res. 111: Mr. PETERSON of Minnesota.

H. Res. 235: Ms. HARMAN, Mr. LAMPSON, Mr. CHAMBLISS, Mr. OBERSTAR, and Mr. MEEHAN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1031: Ms. CHRISTIAN-GREEN.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,